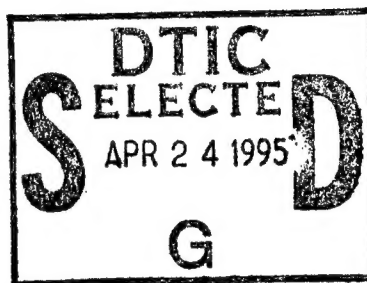


NAVAL POSTGRADUATE SCHOOL MONTEREY, CALIFORNIA



THESIS



**IMMIGRATION AND ECONOMIC
INTEGRATION CASE STUDIES:
UNITED STATES - MEXICO
AND
VENEZUELA - COLOMBIA**

by

Ivy D. Hanchett

December, 1994

Thesis Advisor:

Scott Tollefson

Thesis Second Reader:

Thomas C. Bruneau

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UNITED STATES - MEXICO AND VENEZUELA - COLOMBIA

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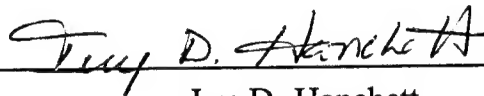
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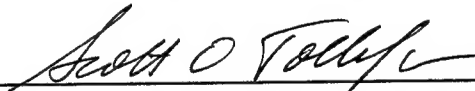
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ABSTRACT

This thesis examines the relationship between economic integration and immigration within the framework of complex interdependency and their impact on interstate relations. The hypothesis is that rising racial and ethnic tensions will result in a demand for increasingly restrictive immigration policies, which in turn can have an adverse effect on the economic integration process. The thesis compares two case studies: 1) the United States and Mexico within the context of NAFTA, and 2) Venezuela and Colombia within the context of the G-3 accord. In both case studies, concern over the economy and ability to absorb immigrant groups within the receiving countries (the United States and Venezuela) has created a demand for more restrictive immigration policies and tighter enforcement. Domestic considerations have traditionally prevailed in the unilateral formulation of immigration policy. However, with increased integration, immigration has begun to acquire increasing foreign policy implications. The persistence in following a unilateral immigration approach inconsistent with the economic integration process could strain interstate relations and hinder further integration. Although NAFTA and the G-3 accord have been in effect for less than one year, current events suggest that the incompatibility in policies, especially in the case of the United States and Mexico, has begun to affect bilateral relations. The thesis therefore recommends a bilateral approach to immigration policy, which will be more conducive to the process of economic integration.

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EXECUTIVE SUMMARY

In order to examine the relationship between economic integration and immigration, this thesis presents a comparative analysis of the United States and Mexico within the context of NAFTA, and Venezuela and Colombia within the context of the G-3 accord. The thesis analyses the impact of economic integration and immigration on interstate relations, with an emphasis on illegal immigration. The analysis is conducted within the theoretical framework of complex and asymmetrical interdependency, as defined by Robert O. Keohane and Joseph S. Nye in Power and Interdependence (1977).

Various studies conducted on the relationship between economic integration and immigration have shown that the short-to-medium term impact of economic integration on immigration will likely increase migratory pressures. In the long run, however, migratory pressures will subside in response to economic development and growth as job markets expand and wages increase (Dolores Acevedo and Thomas J. Espenshade, 1992; Wayne A. Cornelius and Philip L. Martin, 1993; and Joyce C. VIALET, 1993). Although economic integration has been portrayed as a solution for illegal immigration by advocates of Free Trade Agreements (FTAs), it has not been directly addressed within the context of the agreements. Instead, immigration policy has continued to develop independently of economic integration, as both the United States and Venezuela continue to pursue a unilateral approach in relation to Mexico and Colombia, respectively. This approach is inconsistent with the foreign policy implications that immigration-related issues have acquired as a result of continued economic and social integration, and could potentially have a destabilizing effect on interstate relations. The unilateral pursuit of increasingly restrictive immigration policies could indirectly undermine or complicate integration efforts by exacerbating existing tensions.

Strong bilateral ties fostered by economic integration and a host of common interests suggest that the relationship between the United States and Mexico can best be described in terms of an asymmetrical interdependency, with the United States as the dominant partner. Although the relationship between Venezuela and Colombia appears to be less interdependent and less asymmetrical, several of the same generalizations on interdependent processes and characteristics can still be applied.

The influx of large numbers of illegal immigrants and its attendant costs have contributed to heightening, in both cases, the host country's sensitivity to immigration, prompting an increased demand for restrictive policies. In Venezuela, concern over the social and economic impact of illegal immigration led to the nullification of Decree 1.911, which granted citizenship to children born in that country from illegal immigrants. In the United States, this concern has manifested itself in such measures as California's Proposition 187, aimed at curtailing illegal immigrant access to public education and social services. Although the constitutionality of Proposition 187 is questionable and its implementation (if at all) may take years, several states with large illegal immigrant populations are currently contemplating similar measures.

In the United States, the increased politicization of this issue has polarized the federal and state governments. Venezuela, in contrast, has been able to pursue a national policy without the same degree of internal dissent and lack of consensus which have characterized American politics on illegal immigration. Venezuela's capacity to act in a more coordinated manner is enhanced by a strong central government as opposed to the United States, where state and local governments enjoy a considerable amount of political and fiscal autonomy. As a result, in the United States, state policies tend to reflect local interest more than national interests, whereas in Venezuela, national interests will usually prevail over state and local interests.

Domestic considerations have traditionally prevailed in the unilateral formulation of immigration policy. However, with increased integration, the issue of immigration has begun to acquire increasing foreign policy implications. Given this added dimension, the question arises whether increasingly restrictive immigration policies are ultimately in the national interest. The persistence in following a unilateral immigration approach, potentially inconsistent with the process of economic integration, could strain interstate relations, adversely affecting the process of integration itself.

Even though Keohane and Nye suggest that in a complex interdependency the use of military force will be rendered increasingly ineffective, the potential for conflict and misunderstanding remains high as a function of the rise in complexity and multiplicity of channels linking states. The use of military force has never been a serious option for Mexico in the latter half of the twentieth century, given the differences in military force

structures with the United States. However, in the case of Venezuela and Colombia, with comparable military establishments and a history of border skirmishes, the implications of a growing interdependency can be significant, by discouraging the use of a military option in lieu of a diplomatic approach.

Although NAFTA and the G-3 accord have been in effect for less than one year, current events, especially in the United States, suggest that the incompatibility in policy formulation is having an impact on bilateral relations. Mexico has already voiced its concern, renewing a request for bilateral negotiations on the issue of immigration. In Colombia, the reaction has been moderated by overlapping national security concerns with Venezuela. However, the nature and severity of the long term impact is difficult to predict given the short timespan that both agreements have been in effect and the complexity of the evolving relationships. This thesis therefore recommends a bilateral approach to immigration in order to facilitate border control efforts and ultimately improve interstate relations.

I. INTRODUCTION

Recent years have witnessed substantial changes in the international system as countries seek to redefine existing relationships both politically and economically. Although the concept of economic integration is not new, the 1990s have seen a resurgence of interest in the formation of economic trading blocs in order to enhance trading competitiveness and by definition, improve the economic conditions of the member nations by fostering economic growth and development. Integration, however, is a multifaceted and complex process involving a variety of issues including border control and immigration as well as other interrelated and closely associated problems such as drug trafficking and corruption. These are issues of increasing sensitivity, particularly when viewed within the context of a growing sense of nativism within individual countries, fueled in some instances by the real or perceived threats of shrinking job markets, poor economic conditions, political uncertainty and old regional antagonisms, all of which can potentially hinder the integration process and adversely affect bilateral relations.

In November 1993 the United States, Mexico, and Canada ratified the North American Free Trade Agreement (NAFTA), designed to promote and stimulate economic growth by removing existing trade barriers. Similar agreements within the framework of free trade agreements or common markets have also been adopted by some Latin American countries: Argentina, Brazil, Uruguay, and Paraguay (Mercosur); and Venezuela, Colombia, and Mexico (G-3). Unlike the EC, however, which includes provisions for the free movement of labor, the free trade agreements envisioned by the United States and other countries in the Western Hemisphere do not address this or other immigration-related issues directly.

The purpose of this thesis is to focus on transnational immigration, particularly within the context of economic integration throughout the western hemisphere, as exemplified by the emergence of Free Trade Agreements (FTAs) and their combined impact on interstate relations based on a model of complex interdependency. Two case

studies were chosen: the United States and Mexico within the context of NAFTA; and Venezuela and Colombia within the context of the 1994 G-3 accord. Both were selected based on the following criteria: (1) they represent examples of cross border migration based on a history of labor exchange, with migratory patterns governed by similar socio-economic factors; (2) they share many of the same immigration-related problems; and (3) their bilateral relations approximate some degree of interdependence.¹

The concept of interdependency provides the theoretical framework within which interstate relations are analyzed throughout this study. Interdependent relationships are defined by Robert O. Keohane and Joseph S. Nye as involving cost-benefit transactions which are not necessarily mutually beneficial but rather, are characterized by reciprocal effects. Bargaining power or influence over outcomes, through the use of linkage politics, can be derived from asymmetries in an interdependent relationship. This is in sharp contrast to a full dependency that precludes any autonomy or control over outcomes.²

In order to understand the power relationship between two actors in an interdependent relationship, Keohane and Nye introduce the concepts of vulnerability and sensitivity. The impact of any given issue on interstate relations is a function of its vulnerabilities and sensitivities. Vulnerability is defined by the authors as "an actor's liability to suffer costs imposed by external events even **after** policies have been altered and is measured by the costs of making effective adjustments to a changed environment over a period of time." In contrast, sensitivity is defined as "liability to costs imposed from outside **before** policies are altered to try to change the situation." Vulnerabilities and sensitivities can be social, political, or economic. Of the two, vulnerability is deemed

¹Robert L. Bach, "Hemispheric Migration," in The United States and Latin America in the 1990s: Beyond the Cold War, ed. by Jonathan Hartlyn, Lars Schoultz, & Augusto Varas (Chapel Hill: The University of North Carolina Press, 1992), p. 264.

²Robert O. Keohane and Joseph S. Nye, Power and Interdependence: World Politics in Transition, (Boston: Little, Brown & Co., 1977), pp. 3-37.

more important because it includes a strategic dimension.³

The study is organized into six chapters. Chapter II describes the methodology used. Individual case studies are examined in Chapters III and IV. Each case study is analyzed in terms of economic integration; immigration dynamics; immigration-related problems such as drug trafficking, crime and corruption; and how these problems are perceived by the respective governments and general public. The impact of immigration and economic integration on policymaking and interstate relations is discussed in Chapter V within the framework of a comparative analysis. Final comments and conclusions are provided in Chapter VI.

³Ibid, p. 16.

I I. METHODOLOGY

As an underlying hypothesis, it is proposed that increased racial and ethnic tensions will eventually result in a demand for increasingly restrictive immigration policies, which in turn could have an adverse and destabilizing effect on the economic integration process. In order to evaluate the relationship between economic integration and transnational immigration a comparative case study method was chosen as the most appropriate type of analysis with integration designated as the independent variable and immigration as the dependent variable. Two case studies were selected on the basis of shared characteristics: (1) the United States and Mexico, and (2) Venezuela and Colombia. Both sets of countries are in the process of implementing free trade agreements conducive to greater economic integration while at the same time confronting a multitude of challenges and problems associated with large scale transnational migration across relatively porous borders.⁴

⁴Mattei Dogan and Dominique Pelassy, How to Compare Nations: Strategies in Comparative Politics, (New Jersey: Chatham House Publishers, Inc, 1984), pp. 107-127.

III. UNITED STATES AND MEXICO

A. IMMIGRATION

1. History and Dynamics

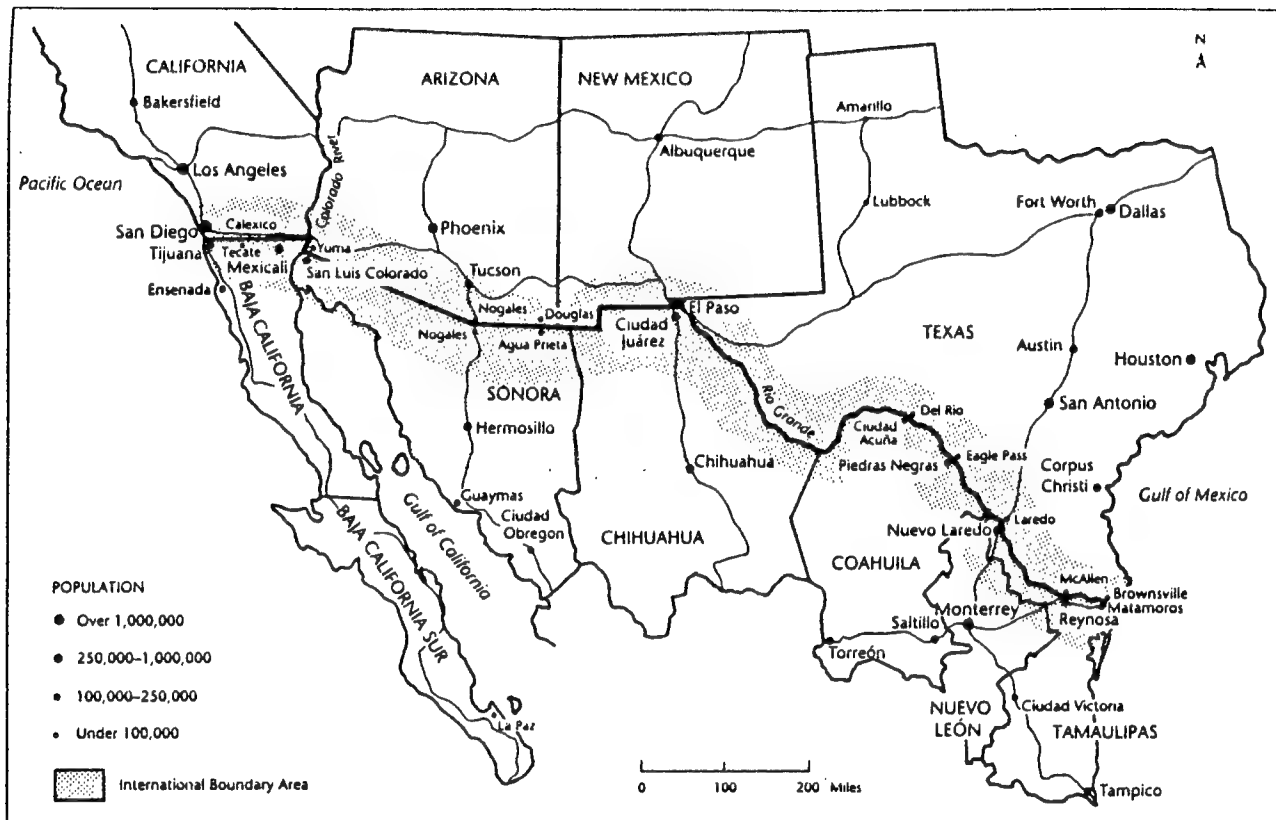
Geographically, the border between the United States and Mexico extends 1,952 miles, most of it, approximately 1,200 miles, defined by the Rio Grande (Figure 1). Although border related issues have increasingly become a source of tension between both countries, the border itself was firmly demarcated by 1854 following the Gadsden Purchase (1853) which placed a final strip of land along the bottom of what is now Arizona and New Mexico in U.S. hands in exchange for 10 million dollars. The purchase was promoted by railroad interests and provided the United States clear title to land in the Mesilla Valley south of the Gila River, an area perceived at the time as a potentially good southern railroad route to California.⁵ Prior to that, U.S. expansion beginning with the secession from Mexico of Texas in 1836 and culminating with the Mexican American War (1846-1848) had already significantly reduced Mexican territory, approximately 50 percent, in what is currently the southwestern portion of the United States: California, Arizona, New Mexico, Nevada, Utah, and parts of Colorado and Wyoming.⁶ Under the Guadalupe Hidalgo Treaty (1848), which formally established the Rio Grande as the international boundary between both countries, Mexico was awarded 15 million dollars in compensation from the United States for its territorial loss.⁷

Politically, socially, and economically, the border represents the dividing line between an industrial power and a developing country. It is along the border that the disparities between the United States and Mexico are accentuated the most; it is where

⁵Ernest E. Rossi and Jack C. Plano, Latin America: A Political Dictionary, (Santa Barbara: ABC-CLIO, 1992), p. 202.

⁶Tom Barry, Harry Browne, and Beth Sims, The Great Divide, (New York: Grove Press, 1994), p. 8.

⁷Ernest E. Rossi and Jack C. Plano, Latin America: A Political Dictionary, p. 207.



Source: Tom Barry, Harry Browne and Beth Sims, The Great Divide (New York: Grove Press, 1994)

Figure 1. U.S. - Mexican Border.

two cultures and societies come together sometimes mixing peacefully and other times clashing violently.

The border between the United States and Mexico is permeable. The region, sparsely populated, is dominated by a series of urban centers or twin cities straddling the length of the border. Geography, limited resources and manpower have constrained the ability of the United States border patrol to control the northbound flow of illegal immigrants and narcotics. Despite recent escalating efforts to control the border, results have been mixed at best while simultaneously increasing tensions and possibly undermining relations along the border.

The movement or migration of humans across the border is deeply rooted within the historical context of the region and has contributed to a gradual merging of cultures and economies. The economic interdependency and consequent border economy which has developed as an outgrowth, provides the economic basis for the region, dominated south of the border by the *maquiladoras* or export-oriented factories. Despite this economic interdependency, an economic imbalance characterized by markedly lower standards of living to the south and a poorly developed infrastructure, persists.

Demographically, the region has been characterized by explosive population growth. Juarez and Tijuana are among the largest cities in Mexico's border region with more than 1.2 million people each.⁸ Growth on the Mexican side of the border has been spurred by increased economic activity promoted initially by the Border Industrialization Program (1965) which opened the northern border states of Mexico to U.S. export-oriented investment by eliminating or reducing tariffs and other trade barriers. As a result, although Mexican border states have come to enjoy a higher standard of living in comparison to the rest of Mexico, it is still significantly lower than that of the United States. In comparison, even though the regions adjacent to the border are considered one

⁸Barry, Brown, and Sims, The Great Divide, p. 13.

of the poorest areas in the United States, per capita income is still three to seven times higher than on the Mexican side.⁹

Initially settled by the Spanish and controlled by Mexico until 1848, the southwestern region of the United States has witnessed a continued rise in the Hispanic population attributed largely to immigration. In 1990, the U.S. Census Bureau estimated that more than 40 percent of Hispanics were born outside the United States, with the majority originating from Mexico.¹⁰ The same census figures showed that 80 percent of Hispanic-origin Californians and 91 percent of Hispanic-origin Texans were of Mexican descent. Two border states, California and Texas, account for 54 percent of Hispanics. Mexicans and Mexican Americans are the largest population group in all border towns except San Diego.¹¹

Additionally, Mexico also continues to serve as a conduit for immigrants from other Latin American countries fleeing political and economic instability. Border patrol arrests of Central American immigrants (El Salvador, Guatemala, Honduras and Nicaragua) peaked in 1989 with 43,000 but has since dropped.¹² The decline has been ascribed to a variety of reasons including increased enforcement activity by the Mexican government along its southern border with Guatemala. Increased regional stability marked by the end of civil war in El Salvador and Nicaragua, has also contributed in recent years to the observed reduction in the flow of northward bound immigrants from Central America.

In the United States, uncertain economic conditions have prompted national concern over the increasing influx of immigrants, particularly illegal immigrants, crossing

⁹ Ibid., p. 16.

¹⁰ Maria Jimenez, "War in the Borderlands," Report on the Americas, Vol XXVI, Number 1 (July 1992), p. 29.

¹¹ Ibid., p. 21.

¹² Al Kamen, "Fewer Central Americans Captured Entering U.S.," The Washington Post, July 28, 1992.

the border and their effect on the job market. In addition to the economic impact immigrants, legal and illegal, may have on the job market, there has also been increasing concern on the social and welfare costs of illegal immigration on what is perceived by many as an overburdened system subsidized largely at the expense of taxpayers.

The assessment of the overall impact of immigration, especially illegal immigration, on American society has been clouded by the perceived threat that it is thought to pose, by some sectors, against the national sovereignty and integrity of the United States. Although immigration and immigrant labor have been widely recognized as instrumental to the growth of the United States and have come to form part of the mythos which defines the national character, there is increasing concern over the country's ability and willingness to absorb new immigrants into the social fabric. Currently, 1 of 12 U.S. residents in the United States is foreign-born compared to 1 in 20 during the 1970s, yet these figures are still significantly lower than the levels that prevailed from 1860-1920, when roughly 1 of every 7 Americans was an immigrant. Seventy five percent of immigrants, mostly Latins and Asians, have settled in just seven states with more than a third of the foreign-born population residing in the state of California.¹³ The feeling by some, is one of a society increasingly under siege with the influx of immigrants perceived as destabilizing and contributing to social fractionalization and disharmony.

2. Legislation

An historical overview of immigration policy shows that the first efforts to centralize control over immigration began in 1864 with the appointment of a Commissioner of Immigration. Initially, states were responsible for the local administration of immigration policy, with some federal oversight. By 1891, however, Congress created the Bureau of Immigration within the Department of the Treasury, with 24 inspection stations at various ports and along the Canadian and Mexican borders. In 1903, the Bureau was transferred to the Department of Commerce and Labor. Shortly

¹³Dick Kirschten, "Catch-Up Ball," National Journal, August 7, 1993, p. 1978.

thereafter, the Bureau of Immigration and Naturalization was formed in 1906 and subsequently split into two separate bureaus in 1913.¹⁴

Legislation restricting immigration and setting numerical limits was instituted in response to the influx of immigrants immediately following WWI. Border patrol activities, as part of the Bureau of Immigration services, were authorized by Congress in 1924. In 1929, illegal entry became a misdemeanor violation of federal immigration laws.¹⁵ The Immigration and Naturalization Service (INS) was formally created in 1933 with the consolidation of the Bureaus of Immigration and Naturalization and was subsequently moved from the Department of Labor to the Department of Justice in 1940.¹⁶

The current basis for INS policies and procedures was established in 1952 by the Immigration and Nationality Act. This legislation maintained the national origins quota system while also creating admission preference categories for skilled aliens and relatives. Under this system, the number of admissions according to nationality was set. The 1965 amendments to the 1952 Act repealed the national origins quota system, substituting instead a system based on family reunification and needed skills rather than nationality and ethnic considerations.

In response to the growing number of illegal aliens and deportations, Congress passed the Immigration Reform and Control Act (IRCA) in 1986. The new law provided two amnesty programs aimed at legalizing illegal aliens. The first, applied to aliens residing in the United States prior to January 1, 1982, the second to aliens who had worked in agriculture for at least 90 days during the year ending May 1, 1986. Over 1 million Mexicans submitted applications under the first category, most of which were accepted. In addition, as a further deterrent, the act established sanctions that could be

¹⁴Immigration Management: Strong Leadership and Management Reforms Needed to Address Serious Problems, (GAO/GGD-91-28, January 1991), p. 16

¹⁵Maria Jimenez, "War in the Borderlands," p. 31.

¹⁶Ibid.

imposed on employers who "knowingly" hired unauthorized or illegal aliens.¹⁷ "IRCA also sought to respond to the apparent heavy dependence of seasonal agricultural workers on illegal workers by creating a seven year special agricultural worker program, and by streamlining the previously existing H-2 temporary worker program to expedite availability of alien workers and to provide statutory protection for U.S. and alien workers."¹⁸

Mexican migrant labor can be traced to the late nineteenth century. Labor demand in the United States created by an expanding agricultural sector and railroad industry induced Mexican workers to migrate northward in search of employment, thus providing a source of cheap and abundant labor. Demand for migrant labor fluctuated in response to economic conditions in the United States. Two minor mass migrations occurred during the early part of the twentieth century. One was prompted by the Mexican Revolution (1910-1918) and the second by the outbreak of World War I. Between 1910 and 1930, it is estimated that approximately 1.5 million Mexicans or ten percent of the population emigrated to the United States.¹⁹ A return migration of Mexicans to their own country occurred during the Great Depression. With the onset of World War II and resultant labor shortage, the United States and Mexico negotiated an executive agreement which subsequently became known as the *bracero* program. Under this program, the U.S. government hired Mexicans chosen by the Mexican government and then subcontracted the workers out to growers. The program continued until 1964 when it was abandoned by the United States in response to growing pressure from civil rights groups and

¹⁷Immigration Management: Strong Leadership and Management Reforms Needed to Address Serious Problems, p. 18.

¹⁸Immigration: What Changes Should Be Made in United States Immigration Policy?, 103d Congress, 2d Session, Senate Document 103-19 (Washington D.C.: U.S. Government Printing Office, 1994), p. 22.

¹⁹Daniel James, Illegal Immigration - An Unfolding Crisis (Maryland: University Press of America, Inc., 1991), p. 20.

organized labor.²⁰

Efforts to curb illegal immigration have largely failed over the years. In fact, illegal immigration from Mexico surged after Congress terminated the *bracero* program. Recent estimates of illegal crossings are based on the number of apprehensions by the Border Patrol of undocumented aliens. According to the INS, for every individual apprehended, 2 to 3 enter the country undetected.²¹ Based on this, current estimates on the number of illegal aliens range anywhere from 2 million to 4 million. In 1992, 94 percent of Border Patrol apprehensions took place in communities along the border between the United States and Mexico. Ninety percent or more of those apprehended were Mexican nationals. In 1980, the INS reported 910,361 apprehensions; in 1986, the figure peaked at 1,767,400.²² Although the number of apprehensions decreased immediately following IRCA in 1988 to 940,641, they have since continued to rise with 1.2 million apprehensions in 1991.^{23 24} (Table 1).

The Immigration Reform and Control Act of 1986 (IRCA) had two unanticipated effects. As mentioned previously, the new law imposed sanctions on employers who knowingly hired illegal aliens but did not require that the employer verify the authenticity of the documents presented to them by job applicants. This in turn created a demand for a market in counterfeit or forged paperwork necessary to prove legal residence and obtain employment. The second effect was to lengthen the stay of undocumented workers due

²⁰Barry, Browne and Sims, The Great Divide, p. 30.

²¹Lizette Alvarez and Lisa Getter, "2 of 3 Immigrants Slip Past Patrol Along the Border," Miami Herald, December 14, 1993, p. 11A.

²²Barry, Browne and Sims, The Great Divide, p. 45.

²³R.A. Zaldivar, "Group Recommends Building Fences, Walls Along Mexican Border," Miami Herald, January 26, 1989, p. 19A.

²⁴Al Kamen, "Fewer Central Americans Captured Entering U.S.," The Washington Post, July 28, 1992.

Apprehensions of Illegal Aliens 1965-1993					
1965	110,371	1977	1,033,427	1988	954,243
1966	138,520	1978	1,047,687	1989	1,008,148
1967	161,608	1979	1,069,400	1990	1,169,939
1968	212,057	1980	910,361	1991	1,152,667
1969	283,557	1981	975,780	1992	1,199,560
1970	345,353	1982	970,246	1993	1,275,00
1972	505,949	1983	1,251,351		
1973	655,968	1984	1,246,981		
1974	788,145	1985	1,343,749		
1975	756,819	1986	1,767,400		
1976	866,433	1987	1,190,488		
Sources: (1) Immigration and Naturalization Service. (2) Daniel James, <u>Immigration an Unfolding Crisis</u> , (Lanham: University Press of America, 1991), p. 24, (1965-1990). (3) Immigration: What Changes Should be made in United States Immigration Policy? 103d Congress, 2d Session/Senate Document 103-19, p. 206 (1991-1993)					

Table 1. Apprehensions of Illegal Aliens 1965-1993.

to rising costs and risks involved in crossing the border. As a result, a stronger incentive was created for families to migrate together, capitalizing on the extensive network of immigrants already in place. In 1991, the number of women crossing the border was estimated to have nearly doubled since 1987 and the number of children crossing had also increased substantially.²⁵

The rapid expansion of illegal immigration into the United States can be attributed to a number of factors: economic, social and political. Following the Mexican revolution, mortality rates in Mexico began to decrease. However, fertility rates remained

²⁵Scott Armstrong and John Dillin, "Illegal Border Traffic Rising Again," Christian Science Monitor, October 16, 1991, p. 7.

consistently high. As a result, Mexico's population tripled between 1930 and 1970, growing younger in the process. The accelerated growth of the labor force soon outstripped the economy's capacity to provide new jobs. Job creation was further stifled by economic policies that relied until recently on capital-intensive processes based on a system of import substitution, which was sustained by protectionist policies. Currently for every 100,000 to 200,000 jobs created in Mexico, there are well over 1 million more job seekers every year.²⁶ Demographic shifts within the country in response to large-scale urban migration precipitated by a decline in the agricultural sector also added pressure to Mexico's labor market. Mexico's economic crisis became acute during the 1980s, further exacerbating the increasing trend of illegal immigration as more and more workers sought higher wages and increased job opportunities north of the border.

3. Drug Trafficking

During the last several years, the incidence of violence and illegal activities along the border appears to have increased, complicating further the U.S. Border Patrol's ability to effectively monitor the border. In 1986, the Border Patrol made 1,300 seizures of drugs, with a street value of \$186 million; by 1987 seizures had increased to 2,751, with a value of \$582 million. Most of the seizures during this time consisted of cocaine: 12,813 pounds worth \$399 million in 1987, up from 2,496 pounds worth \$99 million in 1986.²⁷

Until 1927, the export of marijuana and heroin into the United States from Mexico was legal. Demand for drugs in the United States remained low until the 1960s. By 1975, Mexico had become a major supplier of marijuana (90 percent) and heroin (87 percent) to the United States. However, in response to an aggressive eradication program and increased competition from Colombia and Jamaica, the amount of drugs crossing the border experienced a sharp reduction during the early 1980s. This trend was reversed as

²⁶Ibid.

²⁷William Branigin, "New Law Fails to Stem Flow of Mexicans into California," The Washington Post, June 23, 1988, p. A30.

consumer demand for drugs in the United States continued to expand and economic conditions in Mexico worsened in response to an economic crisis, creating a greater financial incentive to farm illicit crops. By 1991, Mexico had become a major supplier of drugs as well as a major transshipment country for cocaine, supplying 70 percent of the marijuana consumed in the United States and 50 percent of the cocaine.²⁸ The amounts of money involved are staggering, estimates for Mexico in 1991 placed the value of the drug trade equal to that country's total export earnings.²⁹ In fact, narcotics-related assets seized under Salinas's presidency through 1991 were in excess of \$1 billion.³⁰

Even though the number of illegal immigrants involved in drug trafficking constitute a small minority, it still represents a significant problem with widespread ramifications. Illegal aliens sometimes serve as "mules" carrying drugs into the United States as payment for being smuggled across the border. Some do so in order to earn money, receiving up to \$200 per trip.³¹ Drug smuggling across the border by illegal aliens also impinges upon a wide range of illicit activities which in turn contribute to the nationwide rise in drug-related violence and crime observed in both countries.

Although the Mexican government has cracked down on drug trafficking, corruption remains a serious problem. Daniel James in his book *Illegal Immigration - An Unfolding Crisis* cites several cases linking Mexican authorities with drug trafficking, most notably the 1990 arrest of Jose Antonio Zorrilla, former chief of the Federal Security Directorate, for protection of drug traffickers; the 1991 prison takeover by a convicted druglord, Oliverio Chavez Araujo in which Mexican Federal Judicial Police agents were implicated; and the Enrique Camarena case in which an undercover DEA agent was

²⁸Barry, Browne and Sims, The Great Divide, p. 52; and Daniel James, Illegal Immigration - An Unfolding Crisis, p. 68.

²⁹Barry, Browne and Sims, The Great Divide, p. 53.

³⁰Daniel James, Illegal Immigration - An Unfolding Crisis, p. 71.

³¹*Ibid.*, p. 69.

assassinated by Mexican criminal elements.³²

4. Crime

In addition to drug trafficking, border crime has grown to include auto thefts; "rob-and-return" Tijuana based gangs operating in southern California; and border bandits who prey on illegal aliens and migrant workers, often the victims of assaults, robberies and rapes. It is estimated that 90 percent of crimes against undocumented workers go unreported for fear of deportation.³³ Many immigrants are also subject to extortion by corrupt government officials. In response, the Mexican government instituted in 1991 a program designed to curb corruption. Entry rules and import regulations were simplified and a concerted effort was also made to increase public awareness by ensuring the necessary information was readily available. As a result, complaints against government officials decreased by 78 percent.³⁴

Criminal activities involving immigrant aliens in general have escalated across the country. The U.S. Bureau of Prisons reports that more than 20 percent of federal inmates are non-U.S. citizens, from over 120 countries with an incarceration rate three times the national average. The majority have been arrested for drug-related offenses. The cost involved is processing and imprisoning illegal aliens who commit serious crimes is extremely high. In California alone, these costs amount to more than \$500 million a year. According to the state attorney general, approximately 16,000 illegal aliens are incarcerated in state prisons at a yearly cost to taxpayers of \$350 million. In Texas, another border state, 4.3 percent of the inmates in the state prison system are foreign born with a larger proportion, 36 percent, in the Texas federal system. In El Paso, the second

³²Ibid., p. 75.

³³William Branigin, "New Law Fails to Stem Flow of Mexicans into California," The Washington Post, June 23, 1988, p. A30.

³⁴David Clark Scott, "Anti-Corruption Plan Gains Ground in Mexico," Christian Science Monitor, December 18, 1990, p. 16.

largest border crossing, percentages ranges from 10 to 15 percent.³⁵

Despite rising crime along the border, crime fighting units from both countries were disbanded in 1989 following complaints of corruption and a series of controversial actions which had resulted in the suspicious death of at least two Mexican immigrants. However, continued violence prompted the recreation of a new crime fighting unit, Beta Team, by Mexican authorities in 1992. The team comprised of approximately 40 officers from the federal immigration police, the Baja California state judicial police and the Tijuana Municipal Police is trained and funded in part by the San Diego police department. Statistics showed that crime was reduced by 80 to 85 percent immediately following their initial mobilization.³⁶

5. Government Corruption

The rise in illegal immigration has in turn created a lucrative industry based on the smuggling of immigrants across the border by independent operatives or *coyotes* and more recently by large mafia-like organizations known as *apalabrados*. Bribery of government officials is common. Payoffs to local police by some of the larger rings can range anywhere from \$9,000 to \$80,000 a month. However, most organizations can earn that much in one night by smuggling not only Mexicans but also foreigners from Asia and other parts of Latin America. Profits generated range anywhere from \$100 million to \$300 million a year in fees alone, making immigration the fourth largest industry trailing tourism, commerce, and the maquiladora industry. Standard rates in 1989 were \$100 to \$150 for a crossing; \$300 to \$400 to Los Angeles; and up to \$1,000 or more for Central Americans and other foreigners.³⁷

³⁵John Tanton and Wayne Lutton, "Immigration and Criminality in the U.S.A.," Journal of Social, Political and Economic Studies, Vol 18, No 2, Summer 1993, pp. 217-231.

³⁶Tim Golden, "Mexico is Now Acting to Protect Border Migrants from Robbery and Abuse," The New York Times, June 28, 1992, p. L3.

³⁷Brook Larmer, "Business is Booming on the Border," Christian Science Monitor, July 27, 1989, p. 1.

Corruption is not limited to south of the border. As mentioned previously, one of the unintended effects of IRCA was to create a booming business based on the sale of forged documents necessary to validate an individual's resident status. These documents include but are not limited to social security cards, green cards, driver's licenses, and state IDs. Of these, the green card (I-551, United States Alien Registration Card) is probably the most sought after. The street value of any given document varies according to the quality of the reproduction. Forged documents can be easily purchased from street vendors in Los Angeles. A packet containing two cards, a social security and a green card, ranges in price from \$40 to \$55 dollars.³⁸ However, prices can range as high as \$325 for a border crossing card; \$2,300 for a temporary U.S. residency permit; and \$5,600 for a green card, depending on its quality and intended use.³⁹ Most troubling to authorities has been the sale of forged birth certificates. Generally more expensive than green cards, birth certificates are often used by individuals to obtain U.S. passports which can then be used to obtain valid social security cards, thus enabling them to apply for welfare benefits.

In 1992 investigators uncovered a computer fraud scheme involving 1,700 illegal alien files. Codenamed Operation Byte, the investigation revealed that an INS employee was charging as much as \$40,000 to get into the INS computer in order to grant permanent residency status to ineligible foreigners. Computer fraud has led INS in conjunction with the Office of the Inspector General to establish computer audit trails in order to prevent fraudulent data manipulation. However, a recent New York Times article indicates that although the system has been implemented, it is not being used due to lack of manpower within the agency. In addition to computerized fraud, an estimated \$1 million in bribes were offered to INS employees during 1992. Bribes for allowing

³⁸"I-551," 60 Minutes, CBS News, July 31, 1994, Transcript, Volume XXVI, No 46, p. 14.

³⁹Lisa Getter and Lizette Alvarez, "Some INS Employees Cross Over the Line," Miami Herald, December 13, 1993, p. 13A.

illegal aliens to cross the border ranged from \$25,000 for a car; \$30,000 for a van; and \$100,000 for a tractor-trailer. As a further example of corruption, several employees of a local Washington D.C. District Office involved in a bribery scheme were arrested along with more than half dozen immigration brokers, between July 1992 and December of 1993, following an undercover operation. Office employees were typically being paid \$100 per work card, while the middlemen or brokers were charging immigrants \$500 to \$700.⁴⁰

6. Immigrant Abuse

Additional criticism has recently been directed against the Border Patrol for excessive use of violence against illegal immigrants. Two reports published by Americas Watch, Brutality Unchecked (1992) and Frontier Injustice (1993), have been extremely critical of the agency's overall performance. According to Americas Watch, beatings and other forms of mistreatment and abuse are still common during the arrest and detention of undocumented immigrants, U.S. citizens and legal residents. Abuses range from verbal insults, mistreatment, beatings, unjustified shootings to, sexual assaults.⁴¹ Mexico's Ministry of Foreign Affairs records 117 cases of human rights abuses by U.S. officials against migrants from 1988 to 1990, including 14 deaths. Data independently collected by the U.S.-Mexico Border Program of the American Friends, a Quaker human rights group, shows that since 1980, Border Patrol agents have shot dozens of people, killing 11 and permanently disabling 10.⁴² Additional data from the Immigration Law Enforcement Project of the American Friends Service Committee (AFSC) collected over

⁴⁰Ibid.; and Stephen Engelberg, "In Immigration Labyrinth, Corruption Comes Easily," The New York Times, September 12, 1994, p. A1, A10.

⁴¹"Frontier Justice: Abuses Along the U.S. Border with Mexico Amid Climate of Impunity," Americas Watch, May 13, 1993, Vol V, No. 4, p. 2. This report is a follow up to "Brutality Unchecked: Human Rights Abuses Along the U.S. Border with Mexico," published by Americas Watch, May 1992.

⁴²David Clark Scott, "Mexico and Rights Groups Decry Violence by US Border Patrol," Christian Science Monitor, June 2, 1992, p. 5.

a five year period, reveals that the most common abuses reported (28 percent) were verbal or psychological. These involved cases in which immigration authorities used racial or ethnic insults, rude or abusive language, and threats or coercion.⁴³ In response, between 1982 and 1990 Mexico filed at least 24 diplomatic notes of protest with the U.S. State Department on behalf of Mexicans who were killed or seriously injured by these agents.⁴⁴

The Border Patrol does not deny that abuses occur, however it does contend that the problem is not as severe as it appears. The agency claims that it receives on average of one complaint for every 17,000 arrests. Given that the INS makes approximately 1,200 arrests a day, this translates into approximately 26 complaints per year. Data from immigrant right groups suggests somewhat higher numbers of complaints, possibly closer to 142 per year.⁴⁵ The differences may be ascribed to a variety of reasons including fear and ignorance by immigrants, which often leads to underreporting of abuse. Violence along the border is not always directed at immigrants. In 1990 there were 217 reports of assaults against border agents and in 1991, 132 reports.⁴⁶

7. Social Costs

One of the most persistent complaints directed at immigrant groups, particularly illegal immigrants, is the added social burden that they represent to American society. Often they are perceived as living off welfare at the expense of American taxpayers. A 1993 Gallup poll conducted on the issue of immigration reveals interesting trends in public opinion concerning different immigrant groups. Specifically on the issue of Latin American immigrants and welfare, 60 percent of those polled felt that Latin American immigrants were apt to end up on welfare and 62 percent felt they were apt to increase

⁴³Maria Jimenez, "War in the Borderlands," p. 32.

⁴⁴"Brutality Unchecked: Human Rights Abuses Along the U.S. Border with Mexico," Americas Watch Report, May 1992, p. 6.

⁴⁵Ibid., p. 27.

⁴⁶David Clark Scott, "Mexico and Rights Groups Decry Violence by U.S. Border Patrol," p. 5.

crime. On the question of whether the number of immigrants now entering the United States is too high, over 60 percent of those polled felt that too many immigrants were being allowed in not only from Latin America but also from Asian and Arab countries. In contrast, 52 percent felt that European immigration was about right.⁴⁷ The survey revealed growing concern over the impact of immigration, with public opinion appearing to generally favor more restrictive policies. In another recent survey, 7 in 10 people said they favored paying for welfare reform by denying assistance to legal immigrants for at least five years.⁴⁸

An October 1994 U.S. News and World Report article on immigration and welfare indicates that only 2 percent of Mexican immigrants within the United States were apt to end up on welfare (Table 2). According to current legislation, most legal immigrants are barred from welfare programs for three years. Illegal immigrants are barred by law from receiving Aid to Families for Dependent Children (AFDC); Supplemental Security Income (SSI) for the Aged, Blind, and Disabled; Food Stamps; Medicaid except for emergency conditions; legal services; assistance under the Job Training Partnership Act; unemployment compensation; and postsecondary student financial aid. There are, however, other social service programs for which illegal immigrants may be eligible, since they do not require provisions regarding alien status⁴⁹ (Table 3). In 1993 immigrants accounted for 9 percent of the U.S. population but constituted only 5 percent of all families receiving federal welfare checks or food stamps. Two exceptions to this are political refugees and the elderly. In California alone, 55 percent of elderly Chinese

⁴⁷1993 Gallup Poll, Survey #GO 422002, Interviewing Date: 7/9-11/93, pp. 250-254.

⁴⁸Drian Friedman and Penny Loeb, "The myth of the parasites," U.S. News and World Report, October 3, 1994, p. 38.

⁴⁹Joyce C. Violet and Larry M. Eig, "Alien Eligibility for Federal Assistance," CRS Report for Congress, 94-73 EPW, February 2, 1994, p. CRS-3.

Recent immigrants and welfare

Members of some immigrant groups are much more likely than others to end up on welfare, and elderly newcomers are most likely of all to get benefits.

Share of immigrants receiving welfare, place of birth

Cambodia	28%
Laos	27%
Soviet Union (former)	20%
Vietnam	16%
Dominican Republic	9%
China	6%
Phillipines	4%
South Korea	4%
Mexico	2%

Note: Figures are for immigrant groups with largest numbers on welfare, are from 1990 and refer only to immigrants and refugees arriving since 1980--Basic date: U.S. News computer analysis of Census Bureau data.

Table 2. Recent Immigrants and Welfare.

Federal programs	Eligible ^a	Ineligible or restricted
Aid to Families with Dependent Children (AFDC)	Immigrants Refugees/asylees Parolees Other PRUCOL ^a	<u>Ineligible</u> -Undocumented aliens -Legalized aliens ^a for 5 years -Nonimmigrants ^a <u>Restricted for 2 years</u> -Sponsored immigrants ^a
Supplemental Security Income (SSI) for the Aged, Blind and Disabled	Same as AFDC Legalized aliens ^a	<u>Ineligible</u> -Undocumented aliens -Nonimmigrants <u>Restricted for 5 years^a</u> -Sponsored immigrants ^a
Medicaid	Same as AFDC	<u>Ineligible except for emergency conditions</u> -Legalized aliens ^a for 5 years -Undocumented aliens -Other non-eligible aliens
Food Stamps	Immigrants Refugees/asylees Parolees Aliens with deportation withheld ^a SAW legalized aliens	<u>Ineligible</u> -Other PRUCOL -Undocumented aliens -Pre-1982 legalized aliens for 5 years -Nonimmigrants <u>Restricted for 1 year^a</u> -Sponsored immigrants ^a
Legal Services	Immigrants Certain close relatives of U.S. citizens Refugees/asylees Aliens with deportation withheld ^a Legalized aliens ^a	<u>Ineligible</u> -Undocumented aliens -Parolees -Other PRUCOL -Most nonimmigrants <u>Limited</u> -Temporary H2-A agricultural workers ^a
Job Training (JTPA)	Immigrants Refugees/asylees Parolees Other aliens authorized to work	Undocumented aliens Other aliens not authorized to work

Federal programs	Eligible ^a	Ineligible or restricted
Medicare ^a	Individuals who paid Medicare taxes in covered employment ^a Immigrants after 5 years residence may buy in	All other aliens ^a
Unemployment Compensation	Immigrants Refugees/asylees Parolees Other PRUCOL Other aliens authorized to work	Undocumented aliens Other aliens not authorized to work Certain nonimmigrants ^a
Old Age, Survivors, and Disability Insurance (Social Security)	Individuals who paid OASDI taxes in covered employment ^a for the minimum period and their dependents and survivors in the U.S.	<u>Ineligible</u> -All other aliens, including nonresident dependents and survivors who fail to meet residency requirements <u>Limited</u> -Other nonresident aliens
Student Aid	Immigrants Refugees/asylees Intending permanent resident	Undocumented aliens Aliens present for temporary purpose

Source: Joyce C. Violet and Larry M. Eig, "Alien Eligibility for Federal Assistance," CRS Report for Congress, 94-73 EPW, February 2, 1994.

Table 3. Summary of Alien Eligibility for Selected Programs.

immigrants are on welfare.⁵⁰ "Although illegal aliens are barred from most welfare programs, a recent INS study found that 83 percent of them held fraudulent Social Security cards."⁵¹

The financial burden is not evenly distributed. California and Florida, two states with some of the largest immigrant populations, recently sued the federal government for reimbursement of costs incurred from illegal immigration. In August 1993, California Governor Pete Wilson sued for \$2.3 billion and urged the federal government to deny citizenship to American-born children of illegal immigrants. Currently under U.S. law, school age children must be educated whether illegal or not. According to a San Diego State University study, the cost to California of taking children of undocumented aliens into the school system is estimated at approximately \$60 million per year.⁵²

Public health problems have also worsened in several large border cities. For example, the incidence of tuberculosis has increased. In El Paso, Texas, 60 percent of those with tuberculosis are foreign born.⁵³ In Miami, Florida, Jackson Memorial Hospital treats on average of more than 20 illegal aliens a day or 8,000 cases a year.⁵⁴ More than half are maternity cases, because parents know that children born in the United States are considered U.S. citizens and thus entitled to a wide range of benefits. The added services translate into increased costs. Between 1983 and 1989, unreimbursed health care to illegal aliens cost Los Angeles County \$778.8 million. In addition, California Medicaid

⁵⁰Ibid.

⁵¹Steven V. Roberts, Paul Glastris, Jim Impoco, and Katia Hetter, "Shutting the Golden Door," U.S. News & World Report, October 3, 1994, p. 36.

⁵²Bill Lenderking, "The U.S.-Mexican Border and NAFTA: Problem or Paradigm?," North-South Focus, University of Miami, Vol II, No. 3, November 3, 1993, p. 2.

⁵³Ibid.

⁵⁴Steven V. Roberts, Paul Glastris, Jim Impoco, and Katia Hetter, "Shutting the Golden Door," p. 38.

administrators are faced with the problem of Medicaid fraud by illegal aliens who cross the border to receive subsidized medical assistance using false documents. In 1989, Medicaid coverage to illegal aliens cost California \$300 million.⁵⁵ Total cost to California for services provided to illegal immigrants has been estimated at approximately \$3 billion a year.⁵⁶

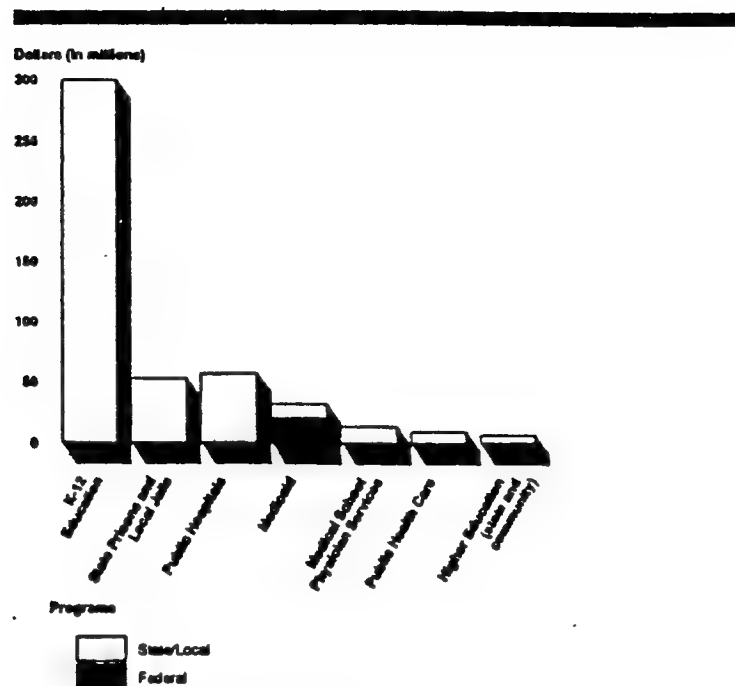
According to the Urban Institute, a Washington think tank, states spend twice as much on foreign born residents as the immigrants pay in taxes. A 1985 study of Mexican aliens in Southern California found that immigrant households received \$2,200 more in state and local services, including education, than they paid in taxes. It should be noted, however, that most illegal aliens are concentrated in low-paying non-permanent jobs, at or below minimum wage, hence tax liability is comparatively low.

Assessing the costs of illegal immigration is difficult due to the limited availability of cost data from the federal and state agencies responsible for administering public programs. In addition, illegal immigrants are not always required or asked to provide information on their status. Estimates may also vary according to the methodology used. A 1993 survey of five states by the U.S. General Accounting Office concluded that "state and local governments appear to pay the largest share of costs, approximately 81 per cent, of which California pays the most; and that benefits for illegal aliens and their citizen children constitute a small, but rising, percentage of some program costs."⁵⁷ (Figure 2).

⁵⁵Daniel James, Illegal Immigration - An Unfolding Crisis, p. 41.

⁵⁶Jim Impoco and Mike Tharp, "Closing the Golden Gate? California tries to give back the tired and the poor," U.S. News & World Report, November 21, 1994, p. 42.

⁵⁷Immigration: What Changes Should Be Made in United States Immigration Policy, 103d Congress, 2d Session, Senate Document 103-19 (Washington D.C.: U.S. Government Printing Office, 1994), pp. 320-336. Actual excerpt from GAO Report titled Benefits For Illegal Aliens (GAO/T-HRD-93-33).



Notes: Medicaid costs are for fiscal year 1992.
 Although programs other than Medicaid may also have some federal costs, estimates for these were not available.
 Source: Texas Governor's Office of Immigration and Refugee Affairs.

Figure 2a. \$2.9 Billion in Annual Costs for Illegal Aliens and Their Citizen Children in Five States.

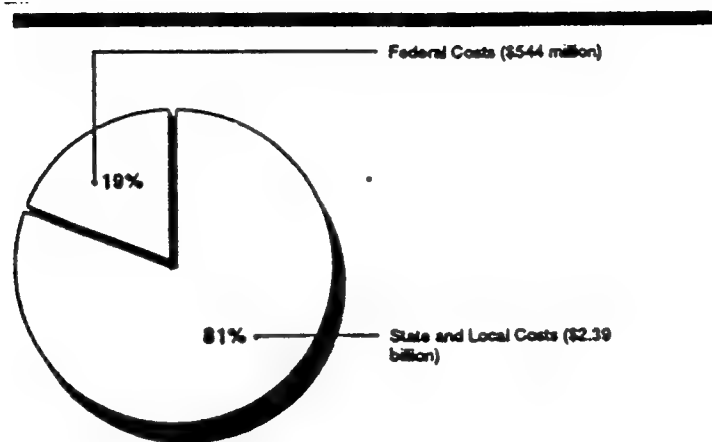


Figure 2b. State and Federal Costs for Providing Benefits to Illegal Aliens and Their Citizen Children.

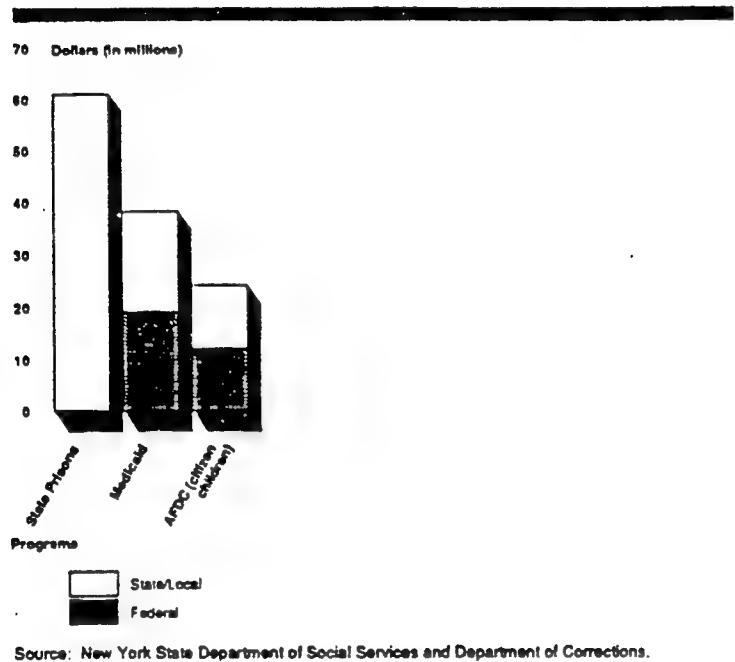
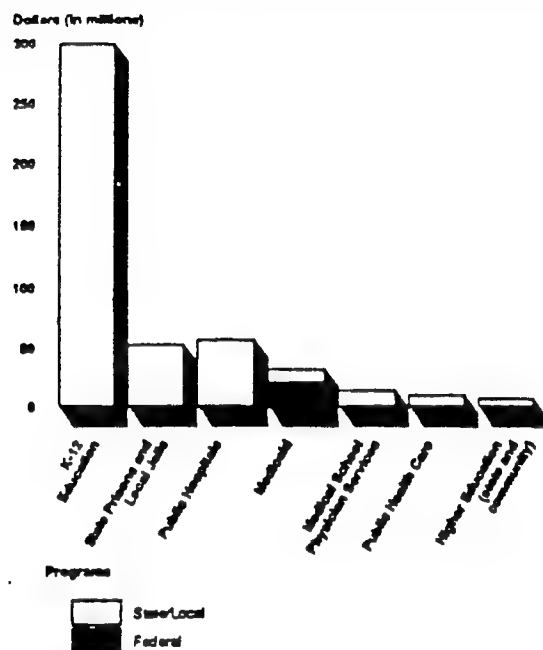


Figure 2c. New York Cost Estimates \$123 Million (FY 1992)



Notes: Medicaid costs are for fiscal year 1992.

Although programs other than Medicaid may also have some federal costs, estimates for these were not available.

Source: Texas Governor's Office of Immigration and Refugee Affairs.

Figure 2d. Texas Cost Estimates \$466 Million (FY 1993).

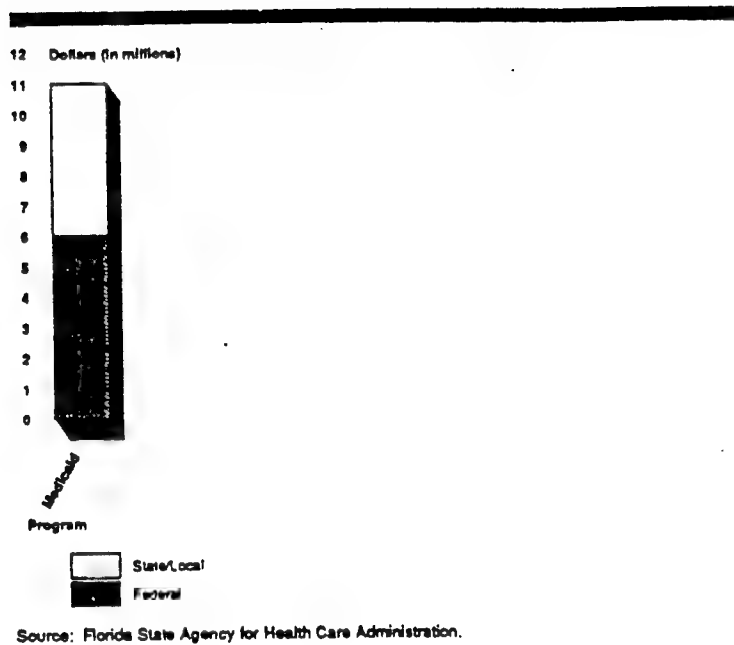
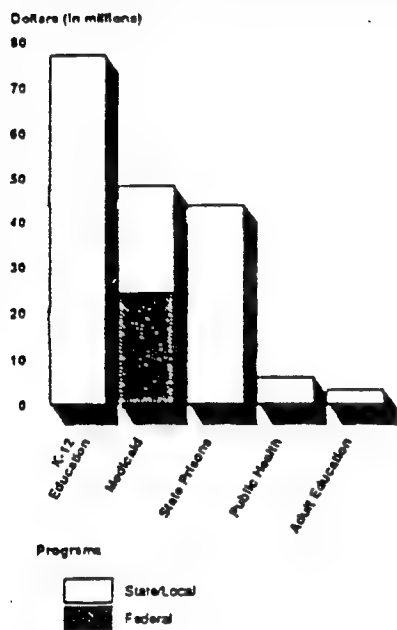


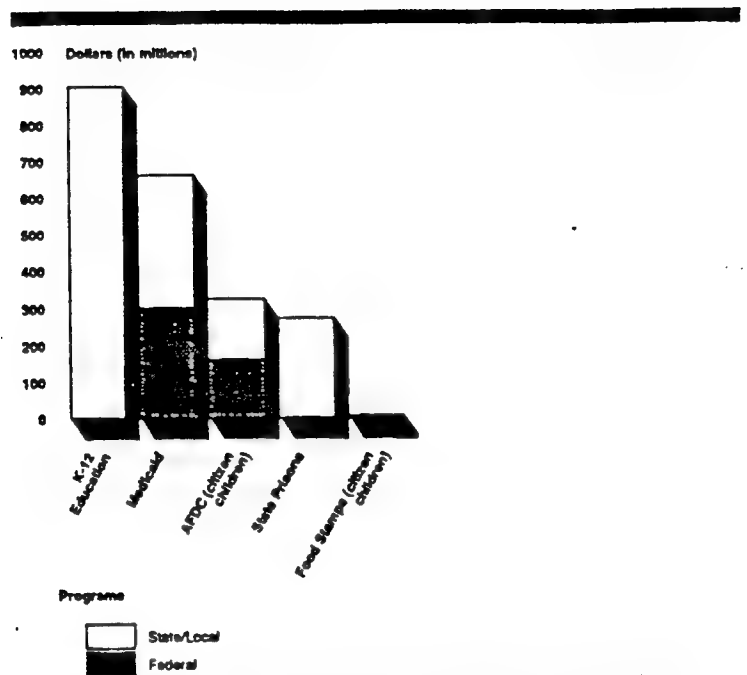
Figure 2e. Florida Cost Estimates \$11 Million (FY 1992).



Note: Medicaid costs are for fiscal year 1992.

Source: Illinois Department of Public Aid and State Board of Education.

Figure 2f. Illinois Cost Estimates \$178 Million (FY 1993).



Source: California Department of Health Services, Department of Social Services, and Department of Finance.

Figure 2g. California Cost Estimates Over \$2.1 Billion (FY 1992).

Source for Figures 2a through 2g: Government Accounting Office, Benefits for Illegal Aliens: Some Program Costs Increasing, but Total Costs Unknown, (GAO/T-HRD-93-33) in Immigration: What Changes Should be Made in United States Immigration Policy, 103d Congress, 2d Session, Senate Document 103-19 (Washington, D.C.: Government Printing Office, 1994).

8. Current Efforts

A national consensus on the issue of immigration appears unlikely. The state of California has criticized the federal administration repeatedly for underestimating the severity of the immigration problem. Governor Pete Wilson has been accused by some for whipping up anti-immigrant feelings throughout the state based on his stance on the issue of illegal immigration and support for Proposition 187. Highly controversial, it would severely curtail eligibility of illegal immigrants to educational and social services in the state of California. Approximately 300,000 school age children would be affected. A similar law banning state funds for the education of illegal immigrants in the state of Texas was declared unconstitutional by the U.S. Supreme Court in 1982.⁵⁸ Although the proposition passed by a comfortable margin of 59 percent to 41 percent in favor, during the November 1994 state elections, efforts to implement it are currently on hold pending legal action concerning its constitutionality based on the legal precedent established by the 1982 Supreme Court decision. Voter breakdown by ethnicity on Proposition 187 showed that non-Hispanic whites voted 2 to 1 in favor while Hispanics opposed the measure 3 to 1. Approval of the measure has touched off widespread rioting and protests, along with allegations of racism.

Public pressure to control the influx of illegal immigrants and drugs across the border through increasingly restrictive measures has led the United States to expand the role of military and law-enforcement agencies along the border. The "militarization" of the border refers to an approach in law enforcement and border control that relies increasingly on military expertise, technology, equipment, facilities, strategies and personnel.⁵⁹ A series of congressional and presidential initiatives over the past several years based on the threat posed by drug traffickers to national security and bolstered by the designation of the border as a "High Intensity Drug Trafficking Area" in 1990, have

⁵⁸Bob Egelko, "Prop. 187 promises legal tangle," The Monterey Herald, October 25, 1994, pp. 1A, 10A.

⁵⁹Barry, Browne, and Sims, The Great Divide, p. 74.

loosened some of the restrictions on the use of armed forces in domestic law enforcement under the Posse Comitatus Act.⁶⁰ The amendments relaxed proscriptions against using military equipment and personnel for civilian law enforcement. In addition, the Immigration Act of 1990 for the first time authorized the INS to make arrests for any violations of the federal law.⁶¹

In 1989 a military unit known as "Joint Task Force Six" at Fort Bliss in El Paso was established to coordinate military participation in support of law enforcement operations. In addition, National Guard units stationed at various crossing points along the border have been used as customs inspectors to conduct searches of private and commercial vehicles for contraband. Joint Border Patrol-National Guard task forces have patrolled in remote areas. Finally in 1991, Marines helped erect a fence of corrugated steel plates along 12 miles of the California border.⁶²

El Paso, Texas is the nation's second busiest border crossing for illegal aliens, with approximately 8,000 crossings a day. In 1993, the Border Patrol in El Paso, Texas effectively closed down its portion of the border by forming a blockade manned by 400 officers positioned at 100-yard intervals. Operation "Blockade" initiated September 19, 1993 was extended indefinitely under Operation "Hold the Line." Since operations began a year ago, apprehensions of illegal aliens have decreased by 72 percent from 122,355 in 1993 to 34,188 in 1994. Petty theft has also decreased. As a result of Operation "Hold the Line," nationwide apprehensions during the first half of 1994 were down 17 percent compared to the same period in 1993.⁶³

Although Operation Hold the Line is being heralded as a success, a closer look at the initial statistics presents a more complex picture. During the first month of operations,

⁶⁰Ibid.

⁶¹Maria Jimenez, "War in the Borderlands," p. 30.

⁶²Ibid.

⁶³Joel Brinkley, "A Success at the Border Earned Only a Shrug", The New York Times, September 14, 1994, pp. A1, A9.

petty crime experienced a significant reduction of 60 percent to 95 percent in comparison to the same period last year. Car thefts also decreased by 20 percent and burglaries by 20 percent to 48 percent, consistent with the alleged success of the operation. However, no major changes were noted in the area of social services. Birth rates, admissions, and surgeries at the local public hospital remained unchanged a month after the blockade was initiated.⁶⁴

In addition, although the operation may have stopped illegal aliens from crossing at El Paso, its impact as a deterrent on the overall influx of illegal immigrants across the border remains unclear. Instead, illegal aliens are now simply crossing the border elsewhere in Texas and New Mexico. Apprehensions elsewhere along the border have increased 40 percent since the operation began.⁶⁵ The same trend was observed in response to increased enforcement efforts in the San Diego area by local authorities. Although a minor reduction in illegal immigrants was observed, the migratory flux simply shifted eastward. Apprehensions in Tucson, Arizona increased 18 percent in 1992 and 30 percent through-out most of 1993. Likewise, similar increases were also observed in El Paso.⁶⁶

In July 1993, the Clinton Administration announced its policy on illegal immigration. The administration called for a variety of measures or initiatives to be funded by a proposed budget of \$172.5 million for fiscal year 1994. Officials planned to seek approximately half of the proposed amount from increases in various immigration user fees. The package would allot \$45.1 million for new personnel, approximately 600 new agents, equipment for the Border Patrol, \$45 million to update the State Department's overseas visa processing and almost \$60 million to improve INS processing. In addition

⁶⁴Gerardo Albarran de Alba y Alejandro Gutierrez, "Cifras delictivas y en asistencia, reves para el bloqueo fronterizo", Proceso, November 1, 1993, pp. 29-30.

⁶⁵Jim Impoco, "Trying to hold back the tide", U.S. News & World Report, October 3, 1994, p. 40.

⁶⁶Gerardo Albarran de Alba y Alejandro Gutierrez, "Cifras delictivas y en asistencia, reves para el bloqueo fronterizo," p. 30.

to increased funding, administration officials called for "new legal tools to stop fraudulent asylum-seekers and to crack down on smugglers who traffic in illegal aliens."⁶⁷

Unilateral efforts to curtail or block the movement of illegal immigrants across the border have sparked protests from the Mexican government, which has complained that Operation Hold the Line created unnecessary tensions that affect the traditionally good relationship of the communities on both sides of the border."⁶⁸ The issue of illegal immigration is highly emotive and divisive, not only in terms of interstate relations, but also domestically. At heart, it is an issue of economics with moral and social implications: "When we were prospering, we closed our eyes to illegal immigration, now because times are tough, it is easy to pin the blame on one group."⁶⁹

B. ECONOMIC INTEGRATION

In 1993 the United States and Mexico formally signed the North American Free Trade Agreement (NAFTA), thus setting the stage for closer economic integration. The purpose of the agreement is to reduce trading barriers between the United States, Mexico and Canada. It is intended to promote economic growth by enhancing global competitiveness. Unlike its European counterpart (Maastricht), NAFTA does not create a common market for the movement of labor across open borders. Instead, its immigration provisions are limited specifically to the reciprocal "temporary entry of business persons" to include: business visitors, traders and investors, intra-company

⁶⁷"Clinton Announces Policy on Illegal Immigration" and "Clinton's Immigration Changes Aim to Stop Abuses," Congressional Quarterly, July 31, 1993, pp. 2082, 2061.

⁶⁸"Mexico Urges End of Border Blockade Near El Paso," Miami Herald, October 2, 1993, p. 23A.

⁶⁹Margot Hornblower, "Making and Breaking Law," Time, November 21, 1994, p. 68. Quote was made by Juan Rivera, president of Lamont's chamber of commerce.

transferees, and certain categories of professionals.⁷⁰

Although immigration is not addressed by NAFTA, the impact of the agreement on immigration, specially in relation to labor, quickly gained ascendancy as an issue during the national debate preceding final Congressional approval. Opponents of NAFTA were quick to argue that approval of the agreement would adversely affect both the job market and wage levels in the United States, prompting concern in turn that such views and statements would be conducive to a backlash of anti-immigrant sentiment. Some critics also further argued that NAFTA's economic reforms would actually increase immigration. In fact, the consensus appears to be that although immigration is expected to increase in the short run, in the long run the economic development generated by the agreement would reduce the economic incentives currently driving migration.

The importance of economic development as a prime mover was recognized in 1990 when the International Commission for the Study of International Migration and Cooperative Economic Development (CSIMCED) published a report suggesting that trade liberalization would reduce the economic push factors driving migration from the Caribbean Basin and Mexico into the United States. It has subsequently been pointed out, however, that economic restructuring could in the short run result in the displacement of workers within certain sectors of the economy.

One such area is the agricultural sector where the lowering of tariffs and other trade barriers will most likely increase migratory pressures as rural workers become displaced.⁷¹ However, the extent of this impact is unclear and may not be as severe as originally predicted specially if, as is the case, a long transition period of 10 to 15 years

⁷⁰Joyce C. Vialet, "A North American Free Trade Agreement and Immigration," CRS Report for Congress, 93-62 EPW, January 15, 1993, pg CRS-5; and Joyce C. Vialet, "The North American Free Trade Agreement and Immigration," Migration World, Vol XXI, No. 2/3, pp. 25-26.

⁷¹Dolores Acevedo and Thomas J. Espenshade, "Implications of a North American Free Trade Agreement for Mexican Migration into the United States," Population and Development Review, Vol. 18, no. 4, Dec 1992, p. 734.

is allowed in the phasing out of tariffs on import sensitive agricultural products such as corn and beans. Other factors unrelated to trade liberalization such as (1) consistently high U.S. employer demands for low-skilled labor, (2) the U.S./Mexico real wage differential and (3) other socio-political factors such as the recent decision to allow privatization of communally held land (ejidos) are more likely to have a greater short to medium term impact on future migration flows.⁷²

During the 1980s, the wage differential or gap between U.S. and Mexican industrial wages, based on per capita domestic products, was estimated to be roughly 10-to-1 and is now approximately 7-to-1. However, adjustments reflecting purchasing power further reduce the ratio to 3.5-to-1, which is still significant. In addition to per capita wage differentials, comparisons between U.S. and Mexican minimum wages yield a ratio of 8-to-1. The minimum wage along the Mexican border is only \$5 a day, with the average maquiladora assembly wage, including benefits, slightly higher at approximately \$12 a day. In contrast, in 1991 American manufacturing workers earned an average hourly wage of \$15.45.⁷³ It is unlikely that the wage differential will decline significantly in the near future because of the surplus of Mexican labor, which is not expected to diminish until the turn of the century.

The influx of illegal immigrants into the United States is unlikely to decrease significantly in the near future. Despite coordinating efforts at the law enforcement level the United States continues to pursue a unilateral course of action in an attempt to contain the northward flow of illegal immigrants. Efforts to close down the border although successful locally, have been counterbalanced by shifts in migratory routes. The imposition of employer sanctions mandated by IRCA has also failed to reduce illegal

⁷²Wayne A. Cornelius and Philip L. Martin, "The Uncertain Connection: Free Trade and Rural Mexican Migration to the United States," *IMR*, Vol XXVII, No. 3, Fall 1993, p. 487.

⁷³William A. Orme, Jr., Continental Shift: Free Trade and the New North America, Briefing Book, (Washington D.C.: The Washington Post Company, 1993), p. 87.

immigration. Short term fixes are unlikely to succeed significantly in reducing the overall number of immigrants and could be extremely costly in terms of assets, manpower, and money. Although legislative measures designed to curb abuses and fraud by limiting access to benefits could act as disincentives, such measures tend to engender public controversy and may be of questionable constitutionality.

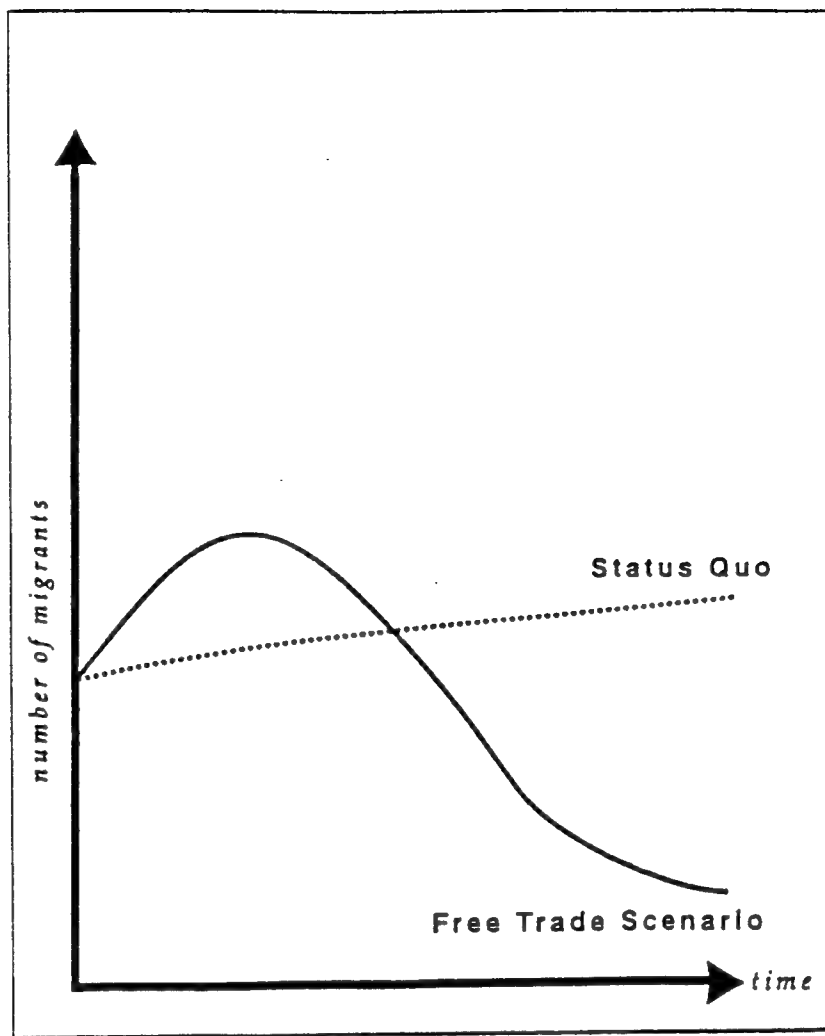
As long as the economic incentives or push-pull factors persist, the influx of immigrants will continue, assisted in part by established migratory routes and networks. Preliminary studies indicate that trade liberalization in the long run should reduce migratory pressures (Figure 3). Free trade in conjunction with foreign and domestic investments are critical to stimulating economic growth and in creating additional jobs within the Mexican economy.⁷⁴

In the past, the United States has tended to act upon the issue of immigration unilaterally. It is a problem, however, that needs to be addressed at a binational level for several reasons. Mexican immigrants send home more than \$3 billion a year, equal to Mexico's earnings from tourism or the entire maquiladora trade.⁷⁵ Additionally, Mexican-Americans comprise the largest group of Hispanics, currently the fastest growing ethnic minority in the United States. In 1993 for the first time, according to the U.S. census the Hispanic population in San Antonio and Houston, Texas, surpassed the African-American population in those cities.⁷⁶ The growing Hispanic population represents an important political constituency which is only just now beginning to flex its political muscle. Close cultural and family ties with Mexico are bound to create resentment both in Mexico and within the Latin community against unilateral and restrictive policies on Mexican

⁷⁴Wayne A. Cornelius and Philip L. Martin, "The Uncertain Connection: Free Trade and Rural Mexican Migration to the United States," p. 506.

⁷⁵William A. Orme, Jr., Continental Shift: Free Trade and the New North America, p. 223.

⁷⁶This information was obtained from a news report on Univision, a Spanish television network shown nationally throughout the United States, dated 11 October 1994.



Source: Wayne A. Cornelius and Philip L. Martin, "The Uncertain Connection: Free Trade and Rural Mexican Migration to the United States," *IMR*, Vol XXVII, No. 3, p. 507.

Figure 3. Hypothesized Relationship Between the Number of Mexican Migrants to the United States and Time with and without NAFTA.

immigration, raising accusations of discrimination against American citizens of Mexican ancestry. A case in point is the controversy surrounding California's Proposition 187 on illegal immigration, which has elicited public statements by various members of the Clinton administration as well as President Salinas against the provisions contained within the proposition.

There continues to be an undisputable demand in the United States for cheap migrant labor, particularly in the service and agricultural sectors. In Mexico, immigration has long been viewed as an "escape" or "safety" valve, diffusing discontent and contributing to the stability of that country, hence there has been little effort to control the northward flow of immigrants. An effort must be made, to insure that future policy decisions on immigration related issues concerning the U.S.-Mexican border complement and are consistent with economic development and integration efforts for the region. As the issue of illegal immigration becomes increasingly politicized, it will become more difficult for both countries to pursue a unilateral approach to policy decisionmaking. Increasingly restrictive measures without proper notification and/or coordination between both countries could lead to an escalation of tensions and reactive policymaking.

IV. VENEZUELA AND COLOMBIA

A. IMMIGRATION

1. History and Dynamics

The border between Colombia and Venezuela is one of the busiest in Latin America. As an example, an estimated 120,000 people and over 10,000 vehicles cross the border daily through the checkpoint at Peracal in the Venezuelan border state of Tachira. One hundred thousand Colombians are employed in the neighboring towns alone.⁷⁷ The border between Colombia and Venezuela is 2,200 km in length (Figure 4). Most of it either sparsely populated or heavily forested, particularly along the southwest portion. It is by its geography, a relatively porous border, difficult to patrol and control effectively.

The impact of illegal immigration and drug trafficking by Colombians in Venezuela, as well as contraband and a host of other associated illegal activities are border issues of particular sensitivity to both countries, with national ramifications. The actual number of illegal immigrants is unknown but estimates range from 500,000 to as high as 2,000,000 of which 70 percent may be Colombians.⁷⁸ The majority have entered the country seeking better economic conditions and higher salaries. Per capita, gross national product (GNP), in dollars has traditionally been higher in Venezuela. In 1991, the per capita GNP in Venezuela was \$2,730 compared to \$1,260 in Colombia.⁷⁹ Inflation rates until recently were also lower in Venezuela, where the economy has been artificially buoyed by the oil industry. Prior to 1945, Colombia's higher developmental levels

⁷⁷"Cien mil colombianos trabajan en Urena," Dirario El Nacional, Caracas, Venezuela, 3 de febrero 1994, p. D/7.

⁷⁸Federal Research Division, Library of Congress, Venezuela a Country Study, (Washington D.C.: U.S. Government Printing Office, 1993), p. 55. Estimates ranged as low as 500,000 and as high as 2,000,000 depending on the source and the year.

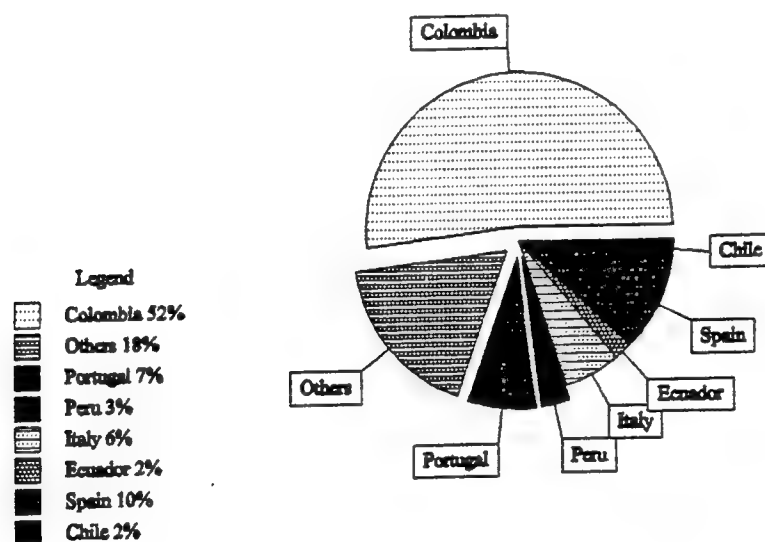
⁷⁹World Development Report 1993: Investing in Health, (New York: Oxford University Press, 1993), p. 238.



Figure 4. Venezuela - Colombia Border.

attracted a significant number of Venezuelan migrants. However, this trend was reversed with the oil boom following WWII in conjunction with deteriorating conditions in Colombia. As a result of the oil boom, new public and private investments generated an increased demand for unskilled workers, particularly in the agricultural sector. As Venezuelan themselves migrated from the countryside to the cities in search of better jobs, Colombian workers began to fill the vacuum created; with smaller numbers migrating to the cities and competing with Venezuelans for low-paying jobs in sweatshops and domestic or service jobs.

According to the most recent Venezuelan census (1990) Colombians constitute the largest immigrant group in the country (529,924), 51.6 per cent of the total immigrant population and 3 per cent of the total overall population, with the largest migrant populations, approximately 80 percent, concentrated throughout seven states.⁸⁰ (Figure 5).

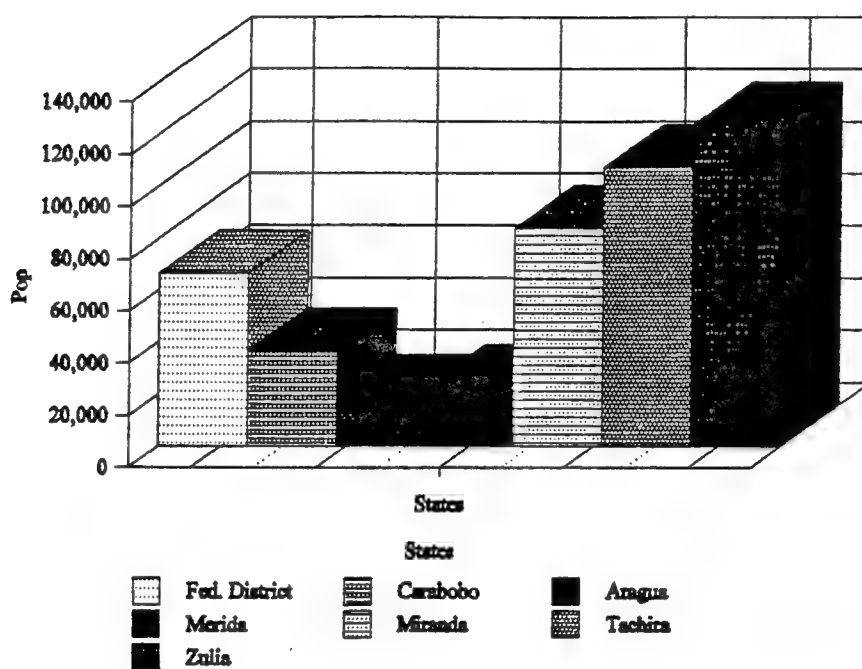


Source: El Censo 90 en Venezuela, Central de Estadística e Informática, OCEI, 1992

Figure 5. Distribution of Foreign Born Population.

⁸⁰El Censo 90 en Venezuela, Central de Estadística e Informática, OCEI, 1992, p. 43.

Two border states, Zulia and Tachira, account for roughly 25.5 percent of the population with the remainder concentrated within the states along the central northeastern zone: Federal District (Caracas), Miranda, Aragua, and Carabobo⁸¹ (Figure 6). The large concentration of Colombians in the state of Tachira has been attributed to a thriving border economy between the cities of San Cristobal in Venezuela and Cucuta in Colombia. On the other hand, migration into Zulia occurs largely in response to agricultural migrant labor demands throughout that state.



Source: El Censo 90 en Venezuela, Central de Estadística e Informática, OCEI, 1992.

Figure 6. Distribution of Colombian Population.

⁸¹Ibid., p. 44.

A 1981 breakdown of the Colombian labor force revealed that the majority of Colombian males were employed in the agricultural sector (26.1%), with lesser but still significant percentages in manufacturing and construction. Colombian women in contrast were overwhelmingly employed in the service industry (56.0%) and commerce (17.5%).⁸² Since then, the observed trends have varied little, with only a slight decrease noted in the percent of males employed and/or residing in rural areas. Between 1981 and 1986, this percentage decreased from 30.3 percent to 25.8 percent and has been attributed by some sources to a "reverse" migratory trend prompted by worsening economic conditions during the 1980s in Venezuela, in conjunction with an increase in urban versus rural migration.⁸³

Available data suggest that Colombian immigration may have peaked or slowed down during the 1980s in response to recessionary pressures and devaluation of the bolivar in 1983. According to the Direccion Sectorial de Identificacion y Extranjeria (DIEX), between 1980 and 1986, approximately 72,932 Colombians legally exited the country compared to a net influx of 80,853 during the 1970s.⁸⁴ It is likely, although difficult to ascertain due to the lack of data, that illegal immigration trends have closely paralleled those of legal immigration throughout the years. (Table 4).

Over the years, both countries have developed legislation to regulate and control the flow of immigrants. (see Appendices A and B for list of regulatory controls and agreements). However, Colombian authorities have taken a much more passive approach. Conversely, since 1965 Venezuela has been deporting increasing numbers of Colombians. "Surveys of deported immigrants, obviously illegal, during the 1970s and 1980s typically reveal the following profile: predominately male; women account for less than 17 percent;

⁸²Gabriel Bidegain Greising, ed. Las Migraciones Laborales Colombo-Venezolanas. Instituto Latinoamericano de Investigaciones Sociales (ILDIS) y la Universidad Catolica Andres Beilo (UCAB), (Caracas: Editorial Nueva Sociedad, 1987), p. 80.

⁸³Gabriel Bidgain Greising and Anitza Freitez Landaeta, Colombianos en Venezuela: mito y realidad, Centro de Estudios de Pastoral y Asistencia Migratoria, Caracas, 1989, p. 12.

⁸⁴Ibid., p. 11.

Migratory Flows, Colombians, 1971-86				
Year	Total Flow	Total Venezuelan	Total Immigrants	Total Colombian
1971	38,985	12,187	26,789	10,496
1972	3,395	-7440	10,835	5,844
1973	9,738	-12,748	22,522	9,802
1974	36,137	-17,321	53,458	14,449
1975	27,015	-9,126	36,141	17,270
1976	45,017	23,813	21,204	7,589
1977	-11,766	-64,998	53,232	12,029
1978	177,843	107,753	70,090	7,845
1979	5,718	-15,952	21,690	-4,471
Total 1971-79	332,082	16,132	315,941	80,853
1980	-54,714	-36,557	-18,157	-8585
1981	-87,025	-50,225	-36,800	-11,869
1982	-57,969	-34,775	-23,190	-2,836
1983	8,030	31,543	-23,513	-18,904
1984	-45,481	-17,307	-28,174	-11,256
1985	-25,574	-19,304	-6,270	-3,404
1986	-19,186	6,407	-25,593	-16,074
Total 1980-86	-281,915	-120,218	-161,697	-72,932
Total 1971-86	50,167	-104,086	154,244	7921

Source: Los Colombianos en Venezuela, Annex 1, pg. 116

Table 4. Migratory Flows, Colombians 1971 - 1986.

66 percent are between 20 and 29 years old; 89 percent are younger than 30; two-thirds are single; 61 percent are childless; 73.5 percent have six or fewer years of schooling with only 5 percent having some technical or professional schooling; 35.9 percent came from the rural sector as previously employed agricultural workers and; 27.2 percent were factory workers."⁸⁵ According to this profile, the average illegal immigrant is male, young and very likely may have been employed at the time he migrated in search of better economic opportunities.

Whether these surveys are accurate or not in profiling the average illegal immigrant, many Venezuelans consider them to be criminal elements. This may be partly due to a combination of interacting factors such as cultural bias, possibly introduced in response to differing historical experiences, socioeconomic development, and ethnic composition. A second factor concerns the period of economic recession experienced during the 1980s during which the job market contracted and Venezuelans found themselves competing for jobs previously filled by Colombians. Since 1980, real wages in Venezuela have declined by 47 percent and 70 percent of the population is considered poor with 30 percent living under extreme poverty.⁸⁶ A third factor influencing public perception of Colombian immigrants may be traced to the negative reputation acquired by extension from that segment of Colombian society that continues to be engaged in drug trafficking and other illicit affairs both domestically and in other countries. Thus there is a well-justified fear and concern that drug-related activities may be expanding into Venezuela and that one of the avenues used for its expansion into the country is through the use of the Colombian immigrant to either smuggle and/or distribute locally. Fourth, Venezuela has since the mid 1970s experienced a sustained increase in violent crime particularly in major urban areas and along the borders.

⁸⁵Alfred Stepan, ed., Americas: New Interpretative Essays (New York: Oxford University Press, 1992), p. 262.

⁸⁶Roundup of Economic Developments 7 Dec, FBIS-LAT-93-235, p. 60. The figures cited were provided by a Venezuelan Economist from the Central Bank of Venezuela.

2. Crime

Currently, Venezuela has one of the highest crime rates in Latin America with an average of 72 homicides per week; a bank robbery every two days; and four homicides among prison inmates every twenty-four hours.⁸⁷ Rural crime confined mostly to the border consist mainly of drug trafficking, illegal immigration, occasional kidnappings perpetrated by Colombian guerrillas, and contraband. The theft of vehicles across the border has also been on the increase (Figure 7). Both countries have been working together to reduce the contraband of stolen vehicles across the border. Recently, a tentative agreement was reached in which no Colombian would be able to purchase a vehicle in Venezuela without proper registration documents.⁸⁸

In addition, border agents must also deal with contraband. For example, one of the most lucrative forms of contraband involves gasoline. It is estimated that up to 3,000 vehicles are involved, most of them registered in Venezuela. Gas tanks are modified and enlarged to accommodate up to 1,200 liters. Gasoline is routinely purchased in Venezuela for approximately 5 bolivares and resold across the border at 25 bolivares.⁸⁹ As a result, a form of clandestine commerce has evolved surrounding this contraband, with children usually employed to advertise the sale and purchase of gasoline as one crosses the border. Prostitution is also common along the border towns. It is estimated that in Cucuta there are more than 3,000 brothels and 12,000 prostitutes. Most prostitutes are recruited through a local contact in Colombia and enter the country at San Cristobal travelling from there to Caracas, Merida, Maracaibo, or Cucuta.⁹⁰

⁸⁷"Asombra a la ONU nuestra tasa criminal," Diario El Globo, Caracas, Venezuela, noviembre 24, 1993, p. 53.

⁸⁸"Velasquez, Colombia's Gaviria Meet Reporters," FBIS-LAT-93-159, August 19, 1993, p. 71.

⁸⁹"Asombra a la ONU nuestra tasa criminal," p. 53.

⁹⁰Manuel Vicente Pena Gomez, La Guerra Fria de Venezuela, Servigraphic LTDA, Bogota, Colombia, pp. 42-43.

Auto Thefts, 1979-88										
	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988
Reported cases	22,796	23,413	20,036	20,613	18,931	14,482	17,431	22,296	25,512	29,093
PHTI	168.67	168.28	129.39	129.32	115.48	85.94	100.66	125.32	139.62	155.10

Source: Statistical Abstract of Latin America, Vol. 29.

Figure 7. Auto Thefts, 1979 - 1988.

Urban crime on the other hand is motivated by high unemployment rates, lack of opportunity and drugs. The United States has the largest concentration of Colombian prisoners and Venezuela the second largest with approximately 2, 806, of which 95 percent are doing time for drug related crimes.⁹¹ Concern over the growing numbers of Colombian inmates housed in Venezuelan prisons prompted both countries to engaged in a series of bilateral negotiations which culminated in an agreement for the repatriation of prisoners. The final draft of this agreement was signed on January 20, 1994 and provided for the relocation of 1500 Colombian prisoners and only two Venezuelan prisoners.⁹² Colombia was unable to accept all prisoners due to limited prison space.

3. Government Corruption and Fraud

Complaints of mistreatment from Colombians in Venezuela have increased. During a November 1993 interview, one of the Colombian presidential candidates,

⁹¹"Se firmara acuerdo de repatriacion de presos colombianos," Diario 2001, Editorial de Armas, Caracas, Venezuela. 7 de enero 1994, p. 7

⁹²Ibid.

Navarro Wolff representing the *Alianza Democratica M-19 de Colombia* (ADM-19) accused the Venezuelan National Guard with charging illegal immigrants 40,000 bolivares to legalize their presence and anywhere from 1,000 to 3,000 bolivares to overlook any inconsistencies with their paperwork.⁹³ Coincidentally, a report released by a Catholic diocese in Cucuta during the same period of time stated that of 2,200 deportees processed up through November 1993 at a local deportation center under their auspices, the majority asserted that they had paid intermediaries and/or Venezuelan authorities for illegal entry.⁹⁴

Although Mr. Wolff's comments were generally downplayed by senior government officials, there are individuals that are benefitting from or at the expense of immigrants. Recently, a busload of twenty Ecuadorian immigrants was stopped for illegally attempting to enter the country at a Venezuelan border crossing in the state of Tachira. The immigrants were being charged the equivalent of 500 U.S. dollars per person for being brought across the border into Venezuela illegally.⁹⁵ Indications are that an extensive black market has emerged in the traffic of illegal immigrants including the active solicitation of labor in Colombia; transport; sale of fraudulent documents; and very often exploitative practices involving early deportation as a tactic for avoiding salary payments in what amounts to slave labor. The extent to which elements of the National Guard may be involved in this and other illegal activities is uncertain due to lack of information although accusations abound.

The difficulty in enforcing control and accountability of immigrants creates the potential for fraud and abuse as was manifested during the December 1993 elections in Venezuela when allegations were made by a local deputy that an electoral organization known as Venezuela-2, founded in 1968 by former members of the Social Christian Party (Partido Social Cristiano, COPEI) and the Democratic Action Party (Accion Democratica,

⁹³"Navarro Wolff demandara al jefe de la Guardia Nacional venezolana," Diario El Nacional, Caracas, Venezuela, 24 de noviembre 1993, p. A/2.

⁹⁴Ibid.

⁹⁵"Cien mil colombianos trabajan en Urena," p. D/7.

AD), was being used as a front to recruit and register illegally as many as 12,000 voters of dubious Venezuelan nationality residing across the border in Colombia. The allegations were based on the fact that records indicated numerous instances of duplicate and nonexistent addresses.⁹⁶

4. Immigrant Abuse

Amnesty International and Americas Watch both released reports on human rights in Venezuela for 1993. Although Colombians and immigrants in general were not singled out in the reports, police brutality and an inadequate prison system were cited as sources of ongoing human rights abuses in the country. Venezuelan prisons are overcrowded and inmates are not segregated based on the severity of their crimes or by ethnicity, as a result prison riots are not uncommon. A series of prison riots during January 1994 at the Maracaibo National jail instigated by ethnic feuds left 106 prisoners dead.⁹⁷ It is important to remember that Venezuela's prison system houses the second largest population of Colombian inmates outside that country.

The illegal entry of Colombians into Venezuelan territory engaged in suspicious activities has in the past prompted border incidents involving allegations by Colombian authorities on the questionable use of force by the Venezuelan National Guard. Such was the case in October 1988 when members of the Comando Especifico General en Jefe Jose Antonio Paez (CEJAP), a special military-police unit responsible for monitoring the Colombian-Venezuelan border, shot to death fourteen Colombians, believed to be guerrillas, while on a fishing excursion near El Amparo, in southwestern Venezuela. CEJAP was created in 1987 to combat criminal activities along the border and has since been disestablished as a result of this incident. The case was tried in a military court and in 1993 the defendants were found guilty of intentional homicide and sentenced to seven-

⁹⁶"Votaran 12 mil personas residentes en Cucuta," Diario El Nacional, Caracas, Venezuela, 24 de noviembre 1993, p. D/1.

⁹⁷"Ethnic Feud in Venezuela jail kills 106," New York Times, vol 143, January 5, 1994, p. A5.

and-a-half years in prison.⁹⁸ Perhaps one of the most disturbing accusations concerned the supposed discovery of the remains of approximately 400 colombian laborers reported missing throughout a period of 10 months in 1979 in the border state of Amazonas.⁹⁹ The majority of complaints, however, range from illegal deportations and incarceration to physical and/or verbal abuse, and in some rare instances outright torture.

5. Drug Trafficking

Although Venezuela is not a major producer of drugs, it is an important transshipment area not only for drugs but also for precursor chemicals used in the distillation process. Traditionally, drug trafficking in Venezuela has been largely confined to the shipment of drugs to overseas markets primarily the U.S. and Europe; financial management; and money laundering. Since 1988, increased cultivation of marijuana has been noted in the northwest border region with Colombia (the Perija Mountains), while coca cultivation remains limited. Anti-drug efforts for the region are coordinated from the National Guard headquarters in Maracaibo. According to Venezuelan authorities, Colombians have been crossing the border into the sparsely populated area to cultivate both marijuana and coca. The leaves are then moved back to Colombia for processing.

Starting in the mid-1980s, the National Guard intensified efforts to block shipments and local production by instituting search and destroy missions in the Seirra de Perija. Although illegal immigrants have been known to serve as mules, transporting drugs in and out of the country, the drug trafficking activities along the border are also closely linked with narco-guerillas. In 1987, a group of nine guardsmen were killed and 10 wounded, all members of an anti-drug unit, in an ambush believed to be in retaliation for the guard's destruction of a 320 acre marijuana and coca farm discovered in the area.

⁹⁸"Human Rights in Venezuela," Americas Watch (New York: Human Rights Watch, 1993), p. 20.

⁹⁹Manuel Vicente Pena Gomez, La Guerra Fria de Venezuela, p. 60.

Responsibility of the attack was traced to Colombian narco-guerillas.¹⁰⁰

In 1992, the U.S. noted that illicit cultivation of coca has also been occurring in the mountain regions where Venezuela borders Colombia. Coca cultivation has also been sighted near Puerto Ayacucho in the vicinity of the Orinoco River in the border state of Amazonas. United States government sources attribute the increase in cultivation of marijuana to an effective eradication program on the Colombian side of the border. Venezuela, unlike Colombia, has not used herbicides to eradicate either coca or marijuana farming. The cocaine which is transshipped from Venezuela originates primarily in Colombia, 75 percent of which is destined for the U.S. market. In 1988, the DEA estimated that 15 tons to 20 tons of cocaine transited Venezuela each year. Since then, according to DOD officials, the amount has quadrupled.¹⁰¹ Venezuela is also important to Colombian cocaine producers because it is a major chemical transshipment country. Twenty nine percent of all chemicals legally exported by U.S. chemical companies to Latin America flow through Venezuela.¹⁰²

Drug trafficking impacts upon society in a variety of ways. Although statistics on local consumption were unavailable, several of the articles used in this research allude to an increase in use. As mentioned previously, the crime rate, particularly violent crime, has continued to increase over the last several years. Drug related offenses between 1979 and 1988 doubled reaching a peak in 1985. Although the increase in crime may be attributed in part to the expansion of Colombian drug cartels into the country, severe economic conditions experienced throughout the 1980s may have also contributed to the observed trend. It is interesting to note that during the timeframe for which there is data,

¹⁰⁰Merril Collett, "Venezuela blames raid on Marxists," Washington Post, June 18, 1987, p. A34.

¹⁰¹"The Drug War: Extent of Problems in Brazil, Ecuador, and Venezuela," U.S. General Accounting Office, National Security and International Affairs Division (Washington D.C.: U.S. Government Printing Office, 1992), p. 5.

¹⁰²*Ibid.*, p. 6.

both unemployment and drug offenses in Colombia and Venezuela peaked in the same year, 1985. (Figures 8 and 9).

Drug Offenses, 1979-1988										
	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988
Reported Cases	2,849	4,038	4,296	4,378	4,371	5,212	6,172	6,125	5,927	5,424
PHTI	21.08	29.02	27.74	27.47	26.66	30.93	35.64	34.43	32.65	28.61

Source: Statistical Abstract of Latin America, Vol. 29.

Figure 8. Drug Offenses, 1979-1988

Open Unemployment, 1980-1989 (%)										
	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Colombia	9.1	8.1	9.1	11.1	13.1	14.0	13.0	11.1	10.1	8.9
Venezuela	6.2	6.4	7.1	9.8	13.4	13.1	11.0	9.1	7.7	8.7

Source: Statistical Abstract of Latin America, Vol 29.

Figure 9. Open Unemployment, 1980 - 1989.

Drugs are smuggled into the country in a variety of ways. Often they are smuggled across the border through checkpoints in vehicles or by human carriers/mules. The new customs union implemented in 1991, allows tractor trucks to travel largely untaxed and unchecked between the two countries.¹⁰³ The large volume of traffic and crossings at some of the busiest checkpoints, which are traditionally understaffed, favor the smuggler who is less likely to be stopped or inspected under these conditions. Air

¹⁰³James Brooke, "Venezuela's Open Border Speeds Drug Traffic," New York Times, November 5, 1992, p. A13.

drops are also common. The border between Venezuela and Colombia is difficult to guard and relatively porous. Geography and the environment again favor the smuggler who is able to cross from one country to another with minimal risk of detection by taking advantage of the dense vegetation and remoteness of the region. For example, shipments of cocaine disguised as coffee crossing the Orinoco River into Venezuela have been reported by visitors to the Colombian border state of Vichada. Drug interdiction efforts along the border are also hindered by: changing smuggling patterns traffickers adjust their modes and routes in response to detection, monitoring, interdiction operations; insufficient resources; poor interagency/law enforcement cooperation; and corruption.

6. Current Efforts

The scope of the illegal immigration problem is almost overwhelming. For example, in the Venezuelan state of Bolivar out of a population of an estimated 46,000 immigrants only 6,000 have proper documentation. In some border areas, Colombian immigrants may outnumber Venezuelans 15 to 1.¹⁰⁴ The prospect of increasing numbers of immigrants residing and working within border states, particularly in sparsely populated areas where they may easily outnumber the local population, has the potential for serious political and social unrest; and may be perceived by some as a form of Colombian expansionism and a threat to the integrity and national security of the country. In an attempt to slow down illegal immigration which has become a drain on public resources, the government of Venezuela under the Velasquez administration nullified Decree 1911.

Decree 1911, instituted during the Perez administration, guaranteed Venezuelan citizenship to children born of illegal immigrants in Venezuelan territory.¹⁰⁵ As in the United States, it is believed by many that this avenue for citizenship has provided an incentive for pregnant women to illegally cross the border in order to have their children

¹⁰⁴"Indocumentados atentan contra la seguridad y los servicios publicos," Diario El Nacional, Caracas, Venezuela, 28 de noviembre 1993, p. D/1.

¹⁰⁵"Derogatoria del decreto 1.911 es inconstitucional," Diario El Nacional, Caracas, Venezuela, 28 de noviembre 1993, p. D/1.

born to a different citizenship in the hopes that they and their children will benefit from this opportunity. Perceptions like this, have been further reinforced by studies similar to the one conducted in the border state of Tachira which linked 17 percent of births, between October 1991 and March 1992, with citizenship requests by Colombian illegal immigrants.¹⁰⁶

It is unclear to what degree the rise and fall of xenophobic sentiment is linked to migratory fluxes and prevailing economic conditions in Venezuela. Although no data were available to substantiate claims or allegations of fraud and abuse by immigrants of social services, concern over alleged abuses is clearly reflected in the press coverage. Access to recent press headlines on the topic of immigration from domestic sources has been limited. However, a cursory review of available references does reveal instances of anti-immigrant feeling. Despite this, both countries appear to be making a concerted effort to initiate a joint or bilateral approach in seeking a solution for the problem of illegal immigration.

B. ECONOMIC INTEGRATION

Notwithstanding a history of border incidents, significant progress has been made over the years on identifying and attempting to resolve border related problems and disputes through an ongoing dialogue. There is mutual recognition of the strategic and national security significance that the border represents to both countries and of the benefits to be gained by pursuing a bilateral approach to problem solving through various committees and commissions such as the Colombia-Venezuela Bilateral Border Commission and the Border Ingration Commission; as well as the broad ramifications that failure to resolve these issues would pose to both countries.

Initial attempts to regulate commerce along the border, beginning in the 1950s, were hindered by political instability in both countries and a lack of consistency in policy development and application. Subsequent attempts during the 1960s and 1970s at

¹⁰⁶"El 17% de nacidos en el Tachira son de padres indocumentados," El Nacional, Caracas, Venezuela, 7 de julio 1993.

economic regional integration failed to achieve the desired results (Asociacion Latinoamericana de Libre Comercio (ALALC), Pacto Andino, and Acuerdo de Cartagena) possibly due to unrealistic expectations and a lack of political commitment. However, the emergence of trading blocs during the late 1980s and 1990s and their perceived success in promoting regional and economic development has created renewed interest in regional integration and multilateral/bilateral accords.

The framework for current and future bilateral accords between Colombia and Venezuela was set in the *Acuerdo de Caracas* (1989) which directed and authorized the formation of a series of bilateral commissions, *Comisiones de Vecindad*, and committees to study the economic and social development of the border region. The structure, functions, and responsibilities of the respective commissions were delineated subsequently by the *Declaracion de Urena* later that same year. As an outgrowth, the following recommendations were made: 1) the formation of Zones of Border Integration or *Zonas de Integracion Fronteriza* (ZIF), involving the integration of basic infrastructures. Closely linked with the adoption of ZIFs was the additional recommendation on the formation of a mixed commission to monitor immigration related issues and problems¹⁰⁷ and 2) The construction and operation of a series of *Centros Nacionales de Atencion Fronteriza*, CENAF. Located at or near major border crossings, these centers would serve to coordinate the efforts of the various agencies involved in the control and regulation of border traffic. Two such centers have already been constructed and at least three others have been proposed.¹⁰⁸ It was generally recognized that further integration would require close coordination or harmonization of existing or future regulations.

The conditions for establishing free trade between both countries originated within the framework of the Andean Pact in which four member countries including Colombia and Venezuela agreed in principle to remove all existing trade barriers. In a subsequent

¹⁰⁷Liliana Obregon y Carlos Nasi. Colombia-Venezuela: conflicto o integracion. (Bogota: Fundacion Friedrich Ebert de Colombia (FESCOL), 1990), pp. 50-53.

¹⁰⁸*Ibid.*, pp. 84-85.

group summit, the heads of state agreed on the establishment, as of January 1, 1992, of the Andean Free Trade Area (FTA). The FTA would operate on the basis of uniform external tariff levels ranging from 5 to 20 percent.¹⁰⁹ Consistent with this agreement, Colombia and Venezuela have taken steps designed to reduce and eliminate intra-group tariffs mediated through a series of bilateral agreements. In accordance with the above agreements, a customs union was established in 1992. As a result of this arrangement, trade between Colombia and Venezuela has quadrupled since 1991, reaching \$2 billion in 1993.¹¹⁰ Additional agreements have been signed, all aimed at increasing the level of integration along the border.

Internal conflict and dissension among member nations of the Andean Pact may have been a factor in the recent agreement signed between Venezuela, Colombia, and Mexico (G-3 nations). This agreement provides an alternative path for furthering integration between both countries. The agreement signed by Presidents Velasquez (Venezuela), Gaviria (Colombia), and Salinas (Mexico) on 20 January 1994, provides for the gradual reduction of customs duties over a period of 10 years for all products with the exception of automotive and agricultural products which are addressed separately.¹¹¹ The new market is expected to affect approximately 150 million potential consumers.¹¹² For Venezuela, this agreement provides the opportunity to diversify its economic base and perhaps expand into the North American market through Mexico. For Colombia, it provides the opportunity to sell coal to Mexico. Colombian coal would allow Mexico to divert increasing amounts of oil from local consumption to exportations, thus increasing revenues.

¹⁰⁹Jimmy Weiskopf, "Trading Partners," Americas, V44, n 1, Jan-Feb 1992, p. 48.

¹¹⁰James Brooke, "Latin America is Freeing its Own Trade," New York Times, V143, December 29, 1993, p. D2.

¹¹¹"ANDI Views G-3 Accord with mixed feelings," Nov 17, 1993, FBIS-LAT-93-220, p. 46.

¹¹²James Brooke, "Latin America is Freeing its own Trade," p. D2.

The integration process has provided a forum for the discussion of border issues. There has been a legitimate concern that these issues could slow down and derail the process. Both governments have been active in promoting the free trade agreement (FTA) with Mexico and in allaying some of the reservations and concerns expressed by various sectors. One of the most common reservations, concerns the large disparity in the relative size of the economies involved and the lack of balancing mechanisms. The Mexican GNP is approximately six times that of Colombia and Venezuela. This concern is similar to that voiced by some Mexicans in reference to the North American Free Trade Agreement (NAFTA).

Since the signing of the agreement, efforts have been hindered by a major banking and financial crisis in Venezuela. Shortly after taking power in February 1994, President Rafael Caldera was forced to take drastic measures and suspend constitutional provisions of freedom of economic activity without government restrictions. Action was taken in response to what the government perceived as an economic and financial emergency. Inflation rates in Venezuela have been hovering at 40 percent to 45 percent and the country is in the throes of a major banking crisis. The last suspension of economic liberties lasted 30 years and was revoked in 1991.¹¹³ It is yet unclear what effect this will have on the further implementation of economic liberalization policies agreed upon under the new free trade agreement and existing bilateral agreements.

Border dynamics between Colombia and Venezuela have varied over the years and in response to a series of interacting variables which tend to exacerbate existing tensions. The problems of illegal immigration, drug smuggling and contraband are all intertwined. These problems are not unique to the border but occur either in response to other external factors, or are in themselves manifestation of underlying social problems which are shared by both countries but highlighted by these activities. Human beings have traditionally migrated in response to changing economic, social, or environmental conditions. Such patterns are evident within individual countries, as in the case of urban migration. On a

¹¹³"Caracas imposes economic curbs," Miami Herald, February 28, 1994, p. 7.

broader scale, the crossing of borders by large groups of human beings has historically been well documented and can be observed currently throughout the world. In the case of Colombia and Venezuela, as in the U.S. and Mexico, economic factors appear to be the main driving mechanism for large scale immigration.

Both countries have been engaged throughout the years in negotiations to resolve some of these problems. There is a mutual recognition of the need for cooperation. Old antagonisms and mutual distrust can occasionally hinder and complicate this process. Unfortunately, several of the problems being dealt with are in turn manifestations of other social, political, and economic problems plaguing the individual societies. Any proposal that is put forth, must also address at some level the internal variables that are acting upon and exacerbating the problems that are being experienced along the border and by extension affecting the countries as a whole. There may be a tendency to focus on the externalities of the problem without examining the conditions that contribute to its growth. Unfortunately, there appears to be no literature readily available on the efforts that have been made to create disincentives, counteract, and discourage these problems locally. The integration process, by hopefully improving the relative economic standards between the two countries, could in the long run reduce the level of immigration and contraband.

V. ANALYSIS

A. THEORETICAL APPROACH

The process of economic integration raises interesting questions for existing interstate relations by potentially increasing the level of interdependence. Historically, the relationship between the United States and Mexico has been described as one of dependency based on the level of U.S. economic activity in Mexico. A Mexican developmental strategy of import substitution emphasizing industrial development at the expense of social development further reinforced this dependency.¹¹⁴

Although it is true that Mexico is the United State's third largest trading partner, and the United States Mexico's largest trading partner, such a view fails to take into account the complexity of the relationship which includes issues of mutual interest. "Intermestic issues", or issues that cross national boundaries, include not only economic concerns but also other issues such as drug trafficking, immigration, and the environment.¹¹⁵ As a result, issues that have traditionally been considered domestic are increasingly acquiring foreign policy implications. And conversely, foreign policy issues are increasingly viewed as domestic issues.

Strong bilateral ties fostered by economic integration and a host of common interests suggest that the relationship between the United States and Mexico can best be described in terms of an evolving complex interdependency, characterized by reciprocity. Transactions between both countries are therefore likely to invoke, depending on the issue, a reciprocal effect which may or may not be mutually beneficial. The relationship can further be defined as one of asymmetry, with the United States the dominant partner.

¹¹⁴Judith Adler Hellman, Mexico in Crisis, (New York: Holmes & Meier Publishers, 1988), p. 73.

¹¹⁵Abraham F. Lowenthal, "Changing U.S. Interests and Policies in a New World," in The United States and Latin America in the 1990s: Beyond the Cold War, ed. by Jonathan Hartlyn, Lars Schoultz, and Augusto Varas (Chapel Hill: The University of North Carolina Press, 1992), pp. 73-75.

According to Abraham Lowenthal, the relationship between the two countries can best be described in terms of proximity, interpenetration, and asymmetry.¹¹⁶

Bruce M. Bagley further expands on the notion of asymmetry and its implications for U.S.-Mexican relations. According to Bagley, asymmetrical interdependency, in practice, has provided Mexico with bargaining power through the use of linkage politics while at the same time constraining the United States from using its power due to the degree of interconnectedness. As a result, Mexico has been able to enjoy a certain degree of flexibility and autonomy.¹¹⁷ This analysis is consistent with the politics of interdependence as described by Robert O. Keohane and Joseph S. Nye in Power and Interdependence.¹¹⁸ However, many Mexicans continue to view their relationship as one of dependence based on historical precedence. Whether this is correct or not, the perception of dependency can and has influenced to some extent Mexican foreign policy decisions within the context of U.S.-Mexican relations.

Although the relationship between Venezuela and Colombia appears to be less well developed as a complex interdependency, several of the same generalizations on interdependent processes and characteristics can still be applied. Both countries are currently in the initial stages of implementing a free trade agreement with Mexico that will formally integrate their economies in a manner similar to the North American Free Trade Agreement (NAFTA). Unlike the United States and Mexico, both countries have had an ongoing history of unresolved and conflictive border disputes with potentially serious national security and military implications. For example, in 1987, an incursion by a Colombian corvette into the disputed Gulf of Venezuela came perilously close to

¹¹⁶Abraham F. Lowenthal, Partners in Conflict: The United States and Latin America, (Baltimore: John Hopkins University Press, 1987), p. 77.

¹¹⁷Bruce M Bagley, "Interdependence: U.S.-Mexican Relations in the 1980s," in The Caribbean Challenge: U.S. Policy in a Volatile Region, ed. by H. Michael Erisman (Boulder: Westview Press, 1984), p. 142.

¹¹⁸Robert O. Keohane and Joseph S. Nye, Power and Interdependence, (Boston: Little, Brown and Co., 1977), pp. 11-19.

precipitating an armed conflict. As a result, efforts at mutual cooperation continue to be strained by conflicting and/or competing interests. Notwithstanding the sensitivity of border related issues in terms of national security, economic integration along the border has been an ongoing and largely unregulated process promoted by the influx of Colombian immigrants, creating in the process a thriving border economy.

As the channels connecting Venezuela and Colombia multiply and strengthen, the degree of interdependence should increase. The relatively close size of the economies involved, as compared to the U.S.-Mexico, and comparable military force structures, suggests that the interdependent relationship that is currently evolving will be more evenly balanced and less asymmetrical than the relationship observed between the United States and Mexico.

As mentioned previously in the introduction, Robert O. Keohane and Joseph S. Nye have characterized the relationship between complex interdependency and power in terms of two dimensions: sensitivity and vulnerability.¹¹⁹ In the case of the United States and Venezuela, both governments have chosen to address the problem of illegal immigration within the framework of existing policies rather than implement substantive changes. This approach is consistent with the definition of sensitive interdependence in which the costs of operating within existing policies outweigh the costs of altering those same policies as well as the political willingness to change.

The influx of large numbers of illegal immigrants and its attendant costs have contributed to heightening, in both cases, the host country's sensitivity to immigration, prompting an increased demand for new policies which may or may not increase vulnerability based on socio-political constraints. If in fact, the dynamics of asymmetrical interdependence provide a power basis, then the host or dominant country's sensitivity to immigration, or other issues, can be exploited or used as leverage to obtain concessions by the weaker partner through the use of linkage strategies.¹²⁰

¹¹⁹Ibid.

¹²⁰Ibid.

As mentioned previously, the use of linkage policies or strategies has been used by Mexico to obtain concessions from the United States in the past, and may have also been a factor in the negotiation process involving NAFTA and the G-3 accord. When NAFTA was first discussed, critics and advocates urged that it be broadened to address mutual immigration concerns. However, President Bush's administration warned that any overt linkage to more open immigration could undermine passage of the package through Congress, and instead urged President Salinas to sell NAFTA as a solution to Mexican immigration, without specifically addressing immigration reforms.¹²¹

It is unclear to what extent linkage strategies have been used by either Venezuela and Colombia in addressing issues of common interest such as immigration and drug trafficking. Both countries have been in the process in recent years of establishing bilateral commissions to study these issues and to make joint recommendations. Economic integration within the framework of a free trade agreement should increase the likelihood for the use of such strategies by raising the level of interdependence between the two countries.

Increasing politicization of immigration-related issues has succeeded in bringing it, at times, to the forefront of the political agenda. In addition, the progressive overlap observed between domestic and foreign policy concerns can create a bureaucratic nightmare making the formulation of policy that much more difficult. Pressure for change by special interest or domestic groups as well as by transnational or nongovernmental organizations, across multiple channels, informal and formal, further add to the complexities of the relationship by enhancing the prospect of transnational coalitions. Hence, immigrant networks can be used effectively to mobilize support across national boundaries on issues that are germane to that community or ethnic group. Mobilization of this scale was evident in October and November 1994, north and south of the U.S.-Mexican border, in response to California's Proposition 187, which

¹²¹William A. Orme, Jr., Briefing Book. Continental Shift: Free Trade and The New North America, p. 221.

precipitated widespread protests from a variety of groups. In Venezuela, the condition of Colombian prisoners and concern over abuses against immigrants has prompted several human right organizations, including the Church, to intervene and issue reports on their status critical of the Venezuelan government. However, the level of political organization among Colombian immigrants in Venezuela appears not to be as highly developed as in the United States nor are there as many channels of communication or transnational linkages.

Both sets of countries appear to conform, to some extent, with the complex interdependent model of interstate relations as described by Keohane and Nye. A comparative analysis of both case studies is provided below, focusing on the issue of immigration, associated problems, and their impact on interstate relations within the context of interdependency.

B. COMPARATIVE ANALYSIS

In the case of the United States and Mexico, as in Venezuela and Colombia, economic factors appear to be the main driving mechanism for large scale immigration. Several parallels can be drawn between these two sets of countries and the problems that are being experienced along their respective borders as the result of, or in relation to, the influx of illegal immigrants.

1. Illegal Immigration

Various analogies can be made as to the processes and dynamics involved. Geographic proximity as well as economic and cultural linkages have facilitated the movement of immigrants across the respective borders. Geographic constraints governing accessibility have limited the ability of both governments to fully control the flow of immigrants and drugs across the border. Efforts have been further hampered by inadequate resources and budgetary constraints.

The organizational approach, however, differs in each case as a function of national security concerns and priorities. As opposed to the United States, border control efforts in Venezuela fall under the purview or authority of the National Guard. In

response to national security concerns, the border between Venezuela and Colombia has an added military dimension which is lacking in the case of the United States and Mexico.

In the United States, existing laws preclude the direct use of military assets in this capacity with the exception of training and surveillance. Border control in the United States is a function of the Border Patrol, under the jurisdiction of the Department Justice. However, the increasing use of military assets, even in a limited manner, has raised concerns, both in the United States and Mexico, over the possible "militarization" of the U.S.-Mexican border.

Another dimension to the problem of illegal immigration concerns immigrant rights and abuses. Regardless of their legal status, immigrant rights are a concern shared by both Mexican and Colombian authorities. Actual abuses and/or allegations of such by enforcement agencies have prompted formal complaints through diplomatic channels. The scope of this problem appears to be more severe in Venezuela. Throughout Latin America, the Church has traditionally played an important role in advocating immigrant rights and documenting abuses in the absence of organizational oversight and accountability. Additional oversight is also provided by a series of nongovernmental organizations with a focus on human rights. Reports issued by these organizations have been critical of both the United States and Venezuela on the treatment of immigrants and human rights abuses.

Illegal immigration is intrinsically linked with economic factors that propel migratory fluxes. Demand for low-wage, unskilled labor in the agricultural and service sectors continues to attract migrant labor. Comparatively higher wages and better standards of living, the result of a marked difference in economic development, also act as driving mechanisms. Migratory trends have therefore varied in response to economic and political conditions. In the case of Venezuela, Colombian immigration is a relatively recent phenomena fueled by the oil boom of the 1960s and 1970s. Various sources indicate that declining economic conditions in Venezuela during the 1980s have precipitated a reverse migration among legal immigrants. In the absence of contradictory data, the assumption has been that the same trend is occurring with the illegal population.

Current migratory trends in the United States were established during the nineteenth century and have been reinforced since World War II. Given the marked difference in economies, and the consistently high demand for migrant labor, it is unlikely that migratory patterns in the United States will change drastically in the near future. Trade liberalization policies are not expected, in either case, to have a significant impact on immigration in the short run and may, in fact, produce slight increases in response to internal adjustments.

Declining and/or mixed economic conditions have contributed to a pervasive sense of insecurity among the general workforce. In Venezuela, rising unemployment rates have reduced the number of jobs available to both legal and illegal immigrants. Although unemployment in the United States has remained relatively low, a weak recovery has failed to improve real wages. In fact, according to the U.S. government, last year real median household income fell by \$312, while a million more people slipped into poverty.¹²² Concern over jobs and wages, in both the United States and Venezuela, has contributed to creating a backlash against illegal immigration by focusing increasing attention on the costs of immigration. This has prompted an increasing demand for restrictive measures aimed at curbing access, by illegal immigrants, to most welfare programs and benefits. In the United States, measures restricting or barring access to welfare programs have been initiated primarily by those states affected by illegal immigration. Federal response to public concern, in contrast, has been to emphasize the enforcement and control aspects of illegal immigration by increasing the allocation of resources along the border. The issue of burden sharing and legislative responsibility, has led some of the affected states to sue the federal government in an attempt to ease the economic burden of illegal immigration.

Likewise, in Venezuela, public concern and outcry over rising costs prompted the government to nullify Decree 1911, granting citizenship to children born in Venezuela

¹²²George J. Church, "We're #1 and It Hurts," Time, Vol 144, No. 17, October 24, 1994, p. 55.

of illegal immigrants, in an effort to deter immigrant fraud and abuses of government services. The decree, signed into effect in 1991, was blamed with exacerbating illegal immigration and the consequent social deterioration. Its nullification in 1992 strained relations between Venezuela and Colombia at a critical time, when both countries were in the process of finalizing negotiations on the G-3 accord. It did not, however, derail or slow down the process, an indication of the importance placed by both countries on this accord and its expected benefits.

Unlike the United States, in Venezuela the absence of a state income tax system and a highly centralized government under a strong executive have combined to discourage inconsistencies between local and federal government policies by limiting state autonomy, especially on issues which impinge upon national security. Differing levels of response observed between the United States and Venezuela on the issue of immigration may be ascribed in part to differences in the assessment of national security implications, as well as structural differences within the respective governments.

Mexican and Colombian response has typically been critical of efforts aimed at controlling illegal immigration through increasingly restrictive policies. However, to date, most of the criticism has been largely confined to diplomatic posturing and/or public statements aimed at conveying disapproval. Efforts to restrict the flow of Mexican illegal immigrants across the border through the use of barrier methods and/or increased enforcement assets has raised concerns over the safety and rights of Mexican citizens, as well as American citizens of Hispanic ethnicity who are prone to be stopped and questioned, raising allegations of racism. The same label has been applied to legislative measures aimed at curbing access to welfare and educational benefits.

Comments by Mexican diplomats suggesting that Mexico would consider using economic sanctions against California, in retaliation for Proposition 187, may reflect a shift in the interactive process between the United States and Mexican in response to economic integration. The American Chamber of Commerce in Mexico warned that the expanding trade between the two countries could become a tragic casualty of the

proposition.¹²³ With trade between Mexico and California totalling approximately \$16 billion a year, the use of economic sanctions or boycott, although unlikely, would certainly have an adverse impact on the Californian economy, but would ultimately accomplish little in improving the plight of illegal immigrants as well as undermine integration efforts.¹²⁴ Thus, assuming a rational actor, the use of linkage policies in this case, should be balanced by the mutual recognition of joint gains and losses. This is consistent with a recent statement by President Salinas, who has downplayed the threat of economic sanctions in response to Proposition 187, in which he said, "We do not have the means, faced with a domestic decision, to promote a sanction in material terms".¹²⁵

In contrast, a more restrained or moderate Colombian response to the nullification of Decree 1911 may have been dictated in part by timing. Heightened tensions in response to the downing of a Venezuelan helicopter in Colombian territory just weeks prior to the signing of the G-3 accord, in January 1994, were downplayed by both Venezuelan and Colombian authorities.¹²⁶ It would therefore seem plausible that the nullification of Decree 1911 may have also been downplayed in response not only to the ongoing negotiations concerning the G-3 accord, but also in response to other political concerns. In addition, the use of political leverage may have been constrained in this case due to the lack of a well developed interdependency as opposed to the case of the United States and Mexico.

¹²³Tim Golden, "Salinas Urges Talks on Free Migrant Flow," New York Times, November 14, 1994, p. A10.

¹²⁴CNN Headline News, 6 November 1994. On Mexican reaction to Proposition 187.

¹²⁵Jim Golder, "Salinas Urges Talks on Free Migrant Flow," p. A10.

¹²⁶"Colombia asegura que Venezuela violó su espacio aéreo y causó daños materiales," Diario 2001, Editorial de Armas, Caracas, Venezuela, Jan 13, 1994, p. 7.

2. Drug Trafficking/Crime

Mexico and Venezuela have over the years evolved into major transshipment countries or staging areas for the movement of drugs. In both cases, the drug trade has become linked to some degree with the smuggling, or illegal transportation of aliens, across the border. To what extent both activities are linked is difficult to ascertain. What is clear is the link between drugs and criminal activity. In both the United States and Venezuela, criminal activity committed by aliens, irrespective of nationality, has escalated. Half of the arrests in the United States involving aliens have been for drug related offenses.¹²⁷ Similar high rates of drug related criminal activity have also been observed in Venezuela among the immigrant population, where the majority of Colombian prisoners, which comprise approximately 10 percent of the inmate population in Venezuela, have been arrested for drug- related crimes.

As the incidence of crime has escalated, the level of violence along the U.S.-Mexican border has increased dramatically. Border Patrol agents now routinely carry handguns, on and off duty. Semiautomatic handguns, shotguns, and M-16s are just some of the other weapons also issued, although their use is strictly controlled. Changes introduced by the 1986 Anti-Drug Abuse Act and the 1990 Immigration Act enhanced the role of the Border Patrol in drug interdiction by extending the authority of the Border Patrol to make arrests. In addition to having the authority to make arrests for the violations of U.S. immigration laws, INS agents now also have the authority to make arrests for any offense against the United States, provided that offense was committed in the officer's presence.¹²⁸

Violence across the Venezuelan-Colombian border has a slightly different connotation. In Venezuela, the link between drug trafficking and narcoguerrillas adds a

¹²⁷John Tanton and Wayne Lutton, "Immigration and Criminality in the U.S.S.," The Journal of Social, Political and Economic Studies, Vol 18, N 2, Summer 1993, p. 217.

¹²⁸Americas Watch, Brutality Unchecked: Human Rights Abuses Along the U.S. Border With Mexico, pp. 5 & 9.

civil-military dimension to enforcement. Violence in this context is not only a by-product of crime but also a by-product of military confrontation.

3. Corruption/fraud

Corruption is a problem that cuts across boundaries, distinguishable only by the severity or magnitude of it. In the absence of statistics, one can perhaps argue that corruption is more pervasive in Venezuela, Colombia and Mexico, where government salaries are relatively low, and monetary incentives high. In all cases, it is linked with both the smuggling of drugs and illegal aliens across the border, possibly in conjunction with crime organizations.

Deterrence is complicated by the lack of, or inadequate agency oversight and accountability. In addition, corruption undermines enforcement by circumventing the legal process. In the United States, computer fraud, the illegal manipulation of INS databases in order to legalize the status of an ineligible or illegal alien, is an increasing source of concern, especially since it is difficult to detect and trace.

4. Summary

In summary, several parallels can be drawn between both case studies and the dynamics involved. On the issue of immigration, economic dissatisfaction and frustration appear to be the underlying causes for the recent rise in anti-immigrant feelings manifested throughout both the United States and Venezuela. As a result, illegal immigrants are increasingly being perceived as a social and economic burden. The negative public image of illegal immigrants is further compounded by their perceived association with illicit activities such as drug trafficking and violent crime. Public reaction on the issue of immigration in both countries appears to be comparable and can be traced to the same root origins.

The process of economic integration should lead to the creation of multiple channels of interchange and communication, thus enhancing any existing interdependency. It is inevitable that both societies, at least along the border, will be drawn closer together. However, the issue of illegal immigration, specifically the rights of illegal immigrants to health care and other benefits, has engendered controversy and continues to remain a

highly divisive issue with domestic and foreign policy implications. Despite the overlap between domestic and foreign policy, both the United States and Venezuela have opted to continue pursuing a domestic approach on immigration policy as applied to illegal immigration and migrant labor; and which could ultimately have an adverse effect on interstate relations. Harmonization may be further hindered by the lack of consensus among overlapping and competing interests due to the complexity of the interdependent relationship as well as by the emotional aspect of the problem.

The extent to which the issue of illegal immigration affects interstate relations is dictated by the degree and nature of the existing interdependency. In the case of the United States and Mexico, an asymmetrical interdependency may facilitate the use of linkage strategies, providing Mexico with a certain amount of political leverage. In contrast, linkage strategies may not prove as useful in the case of Venezuela and Colombia, where: (1) the interdependency is less well established and potentially less asymmetrical; (2) both countries are evenly matched in terms of military power; and (3) border related issues have added national security and military implications in comparison to the United States and Mexico.

VI. CONCLUSIONS

A. CONCLUSIONS

A comparative analysis of the United States and Mexico, and Venezuela and Colombia was conducted in order to examine the relationship between economic integration and immigration, with an emphasis on illegal immigration, and their combined impact on interstate relations. Various studies conducted on this issue have shown that the short-to-medium term impact of economic integration on immigration will likely increase migratory pressures. In the long run, however, migratory pressures are expected to subside in response to economic development and growth as job markets expand and wages increase (Dolores Acevedo and Thomas J. Espenshade, 1992; Wayne A. Cornelius and Philip L. Martin, 1993; and Joyce C. Vialet, 1993).

Although economic integration has been portrayed as a solution for illegal immigration by advocates of FTAs, it is not addressed within the context of the agreements. Instead, immigration policy has continued to develop independently of economic integration, as both the United States and Venezuela continue to pursue a unilateral approach in relation to Mexico and Colombia, respectively. This approach is inconsistent with the foreign policy implications that immigration-related issues have acquired as a result of continued economic and social integration, and could potentially have a destabilizing effect on interstate relations. The unilateral pursuit of increasingly restrictive immigration policies could indirectly undermine integration efforts by exacerbating existing relations.

Concern over the capacity to absorb immigrants economically and culturally has contributed to an environment of intolerance characterized by increased ethnic and racial tensions, and a demand for more restrictive immigration policies. In the United States, the increased politicization of this issue has polarized the federal and state governments. Diverging policies at the state and national level are only one aspect of this controversy. The other aspect centers on the issue of unfunded federal mandates. The overlap between state and national policy on an issue with foreign and domestic implications, as in the case

of illegal immigration, detracts from the federal government's ability to negotiate effectively, unless it is able to assert its authority domestically by imposing its own agenda. Failure to do so would result in domestic policy driving foreign policy.

California's Proposition 187 clearly illustrates this. Passed by the voters of the state of California in November 1994, Proposition 187 would deny most social services and educational benefits, with the exception of emergency health care, to illegal immigrants. Although the constitutionality of Proposition 187 is questionable and its implementation (if at all) may take years, several states with large illegal immigrant populations are currently contemplating similar measures. The federal government, in contrast, has consistently advocated the expansion of enforcement and border control assets.

Official Mexican reaction has been guarded. The Mexican government was a major proponent of NAFTA and reiterated its belief that the trade accord would eventually reduce immigration. However, former President Salinas also stated in reaction to Proposition 187, the need for Mexico and the United States to discuss a freer flow of migrant workers just as they have negotiated free trade.¹²⁹ Proposition 187 may have provided the Mexican government with the opportunity to reemphasize the need for future bilateral negotiations on the movement of labor and immigrants across the border, particularly within the context of economic integration. The ultimate success of U.S. efforts to control illegal immigration may be contingent on Mexican cooperation. The degree of cooperation may in turn depend on how the United States chooses to approach the issue of illegal immigration.

Venezuela, in contrast, has been able to pursue a national policy without the same degree of internal dissent and lack of consensus which has characterized the American debate on illegal immigration. Its capacity to act in a more coordinated manner is enhanced by a strong central government. This is in stark contrast to the United States,

¹²⁹Tim Golden, "Salinas Urges Talks on Free Migrant Flow," The New York Times, November 14, 1994, p. A10.

where individual states and local governments enjoy a considerable amount of political and fiscal autonomy. As a result, in the United States, state policies may tend to reflect local interest more than national interests, whereas in Venezuela, national interests will usually prevail over state and local interests.

The nullification in Venezuela of Decree 1911, eliminating citizenship rights to children born of illegal immigrants, although not without controversy, did not elicit the same degree of national discord as Proposition 187. Unlike Proposition 187, Decree 1911 and its subsequent nullification were not state initiatives, but rather reflected prevailing national interests. Colombian reaction, as in Mexico, was tempered by economic considerations based on a strong commitment to the integration process. In fact, when compared to Mexico, Colombian reaction was much more subdued. This may partly be ascribed to the short time period (one year) that Decree 1911 was in effect, insufficient time for the immigrant population to capitalize upon and establish a widespread pattern of behavior based on the benefits offered.

According to the hypothesis that was initially proposed in the introduction, increased racial and ethnic tensions will eventually result in a demand for increasingly restrictive immigration policies, which in turn could have an adverse and destabilizing effect on the integration process. As discussed previously, concern over the economy and ability to absorb different cultures has promoted an environment of intolerance toward illegal immigration. This in turn has prompted an increased demand for restrictive immigration policies and tighter enforcement.

However, in an interdependent relationship, domestic and foreign policy issues can overlap. Domestic considerations have traditionally prevailed in the formulation of immigration policy. With continued integration, however, immigration has begun to acquire foreign policy implications. Failure to adjust policy to account for this added dimension can adversely affect interstate relations.

Even though Keohane and Nye suggest that in a complex interdependency the use of military force will be rendered increasingly ineffective, the potential for conflict and misunderstanding remains high as a function of the rise in complexity and multiplicity of

channels linking states. The use of military force has never been a serious option for Mexico in the latter half of the twentieth century, given the differences in military force structures with the United States. However in the case of Venezuela and Colombia with comparable military establishments and a history of border skirmishes, the implications of a growing interdependency can be significant, by discouraging the use of a military option in lieu of diplomatic approach.

It is clear that in the United States and Venezuela the current climate of intolerance has contributed to a demand for increasingly restrictive immigration policies, but the impact on integration is still unclear, especially in the case of the United States which has yet to achieve national consensus on how to handle this issue. Although one can speculate that the effect on integration would probably be negative, the long term impact cannot be fully ascertained at this time. Both NAFTA and the G-3 accord have only been in effect for a year or less, too brief a time span to evaluate properly. Additionally, the current trend of intolerance may be reversed with improved economic conditions, thus reducing the pressures for restrictive policies and restoring an environment more conducive to integration.

B. RECOMMENDATIONS

The continued emphasis on a unilateral approach to immigration within an interdependent relationship can only exacerbate interstate relations further, thus potentially undermining the process of economic integration and escalating the potential for future disagreements. Immigration policies, specifically those dealing with migrant labor, should not be formulated exclusively as domestic policy but must increasingly take into account foreign policy implications. Although considered politically unfeasible at the time NAFTA was negotiated, an agreement on the flow of migratory workers should have been developed as a complement to the trade pacts.

Mexico has repeatedly indicated its willingness to discuss a bilateral agreement to regulate the northward flow of illegal immigrants. There is no guarantee that future administrations will be as interested as the Salinas government was to pursue a bilateral

approach. It is therefore incumbent upon the United States to take advantage of the current political climate in Mexico to negotiate such an agreement. Venezuela and Colombia have already established a series of joint commissions to study border-related problems including immigration. The pursuit of a bilateral approach in no way compromises U.S. sovereignty and could potentially work in favor of the United States, in terms of how it is perceived throughout Latin America. Although this is not a new recommendation, the environment of cooperation fostered by an integrationist framework, gives added relevance to a bilateral approach, especially on a potentially divisive issue as immigration.

APPENDIX A. IMMIGRATION POLICIES VENEZUELA (1985)

Tourist Visa: Valid for 60 days for the express purpose of recreational travel. Requires return ticket. Commonly used by illegal immigrants to gain initial entry into the country where once employed, the individual was able to exchange it for a "visa de transeunte laboral".

Business Visa: Valid for 60 days. Visa must be renewed in country of origin.

Student Visa: Valid for 1 year. Requires school registration.

Transient Visa-Family: Valid for one year. Granted to family members of legal residents.

Transient Visa-Worker (short term): Valid for 6 months. Essentially a working permit.

Transient Visa-Worker: Valid for 1 year. Requires a notarized contract.

Resident's Visa: Valid indefinitely. Requires a minimum of two years residency.

Transit Visa: Valid for 72 hours. Requires confirmed reservations with continuation to a final destination.

Source: Susan Berglund y Humberto Hernandez Caliman. Los de Afuera: Un Estudio Analitico del Proceso Migratorio en Venezuela: 1936-1985. Centro de Estudios de Pastoral y Asistencia Migratoria, Caracas, 1985.

APPENDIX B. BILATERAL AGREEMENTS

- Estatuto de regimen fronterizo (Border Statute of 1942), August 1942: Effort at regulating the status of border residents.
- Tratado sobre demarcacion de fronteras y navegacion de los rios comunes (Treaty on the Demarcation of the Border and the Navigation of Rivers), April 1951.
- Creacion de la tarjeta de transito fronterizo (Creation of a Border Pass), July 1952: Specifically addresses border traffic.
- Tratado de Tonchala (Treaty of Tonchala), November 1959: Both countries agree to conduct a census in order to determine the status and number of immigrants. It is the first time the issue of illegal immigration is addressed.
- Acuerdo Comercial y de Desarrollo Economico (Accord on Commercial and Economic Development), June 1963: Both governments agree to prosecute employers engaged in the abuse of exploitation of migrant labor.
- Acta de Caracas (Caracas Act), September 1966: Acknowledges the problems and implications of illegal immigration.
- Declaracion conjunta de los Presidentes de Venezuela y Colombia. Declaracion de Sochagota (Joint Declaration by the Presidents of Venezuela and Colombia, Declaration of Sochagota), August 1969: Statement recognizing the importance in socio-economic development in reducing immigration.
- Comunicado conjunto de los Ministros de Relaciones Exteriores de Colombia and Venezuela (Joint Communique by the Ministers of Foreign Relations, Colombia and Venezuela), December 1971: Statement calling for additional studies on immigration.
- Comunicado conjunto de los Cancilleres de Colombia y Venezuela (Joint Communique by the Chancellors of Colombia and Venezuela), December 1978: Statement calling for the formation of a joint commission to be tasked with studying and analyzing all aspects related to immigration in order to develop a more comprehensive regulatory approach.

Source: Ramiro Cardona Gutierrez y Carmen Ines Cruz, eds., Migracion de Colombianos a Venezuela, Corporacion Centro Regional de Poblacion CCRP y del Fondo Colombiano de Investigaciones y Proyectos Especiales "Francisco Jose de Caldas," Editorial Carrera, 1983.

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